THE SCOTS MAGAZINE.

MARCH, 1774.

CONTENTS.

The art of PLEASING, by Lord Cheſterfield 113.

Pythagoras's QUATERNION explained 115.

Caſes in which FIXED AIR has been tried 116.

AMERICAN PAPERS. Addreſs of the province of Maſſachuſet's-bay to the Earl of Dartmouth 118. Reſolutions of the town of Marſhfield 119. A plan for American taxation 120. All royal charters ſubject to review ib.

Proceedings and Debates in PARLIAMENT. American papers laid before parliament 127. A ſummary of facts 128. Speech and motion by Lord North 129. The Boſton bill preſented 131. Speeches by Mr Fuller ib. Mr Herbert 132. Lord North 132, 3, 4. Mr Montague 133. Mr Byng ib. Mr Dempſter ib. Mr Fox 134. Mr Phipps ib. Mr Van ib. Col. Barré ib. American petition 135. The bill paſſed 136. An abſtract of the act ib.

The POST-OFFICE revenue 126.

A cure for the CATTLE-DISTEMPER 126.

LITERARY PROPERTY. A ſtate of the facts in the late queſtion before the Houſe of Lords 121. Judgement in chancery ib. The queſtion 122. Speeches by Mr Thurlow 122. 25. Sir John Dalrymple 122. Mr Wedderburne 123. Mr Dunning 125. Queſtions put to the judges 126.

BON MOT of Lord Cheſterfield 126.

ANGLO-SAXON laws of evidence, by oaths, compurgators, witneſſes and ordeals 139. 140.

FORGIVENESS exemplified 143.

NEW BOOKS, with remarks and extracts. Dr Gregory's legacy to his daughters 144.

POETRY. The Sparrow, Hawk, and Butterfly 151. David's lamentation for the deaths of Saul and Jonathan 152. The death of Goliath ib.

HISTORICAL AFFAIRS. Turky and Poland 154. Ruſſia 155. Sweden, Germany, Italy, and North America 157. Weſt and Eaſt Indies 158. England 160. Scotland 162.

LISTS, &c. 166. — 168.

Fourteen Letters from Philip late Earl of Cheſterfield, to his natural ſon, Philip Stanhope, Eſq; [XXXV. 288.]

My dear little Boy, *Bath.*

OUR correſpondence has hitherto been very deſultory and various. My letters have had little or no relation to each other; and I endeavoured to ſuit them to your age, and paſſion for vanity. I conſidered you as a child, and trifled with you accordingly; and tho' I cannot yet look upon you as a man, I ſhall conſider you as being capable of ſome ſerious reflection. You are now above half a man; and before your preſent age is doubled, you will be quite a man: therefore, *Paulo majora canamus.*

You already know your religious and moral duties; which indeed are exceedingly ſimple and plain. The former conſiſts in fearing and loving your creator, and in obſerving his laws, which he has written in every man's heart, and which your conſcience will always remind you of, if you give it but a fair hearing: the latter, I mean your moral duties, are fully contained in theſe few words, *Do as you would be done by.* Your claſſical knowledge, others more able than myſelf will inſtruct you in. There remains, therefore, nothing in which I can be uſeful to you, except to communicate to your youth and inexperience what a long obſervation, and knowledge of the world, enables me to give you.

I ſhall then, for the future, write you

a ſeries of letters, which I deſire you will read twice over, and keep by you, upon the *duty*, the *utility*, and the *means* of pleaſing: that is, of being what the French call *aimable*; an art, which, it muſt be owned, they poſſeſs almoſt excluſively. They have ſtudied it the moſt, and they practiſe it the beſt. I ſhall therefore often borrow their expreſſions in the following letters, as anſwering my ideas better than any I can find in my own language.

Remember this, and fix it in your mind, that whoever is not *aimable*, is in truth *no body at all*, with regard to the general intercourſe of life: his learning is pedantry, and even his virtue has no luſtre. Perhaps my ſubject may oblige me to ſay things above your preſent *forte*; but, in proportion as your underſtanding opens and extends itſelf, you will underſtand them; and then, *Hæc olim meminiſſe juvabit*.

I preſume you will not expect elegancy, or even accuracy, in letters of this kind, which I write ſingly for your uſe. I give you my matter juſt as it occurs to me. May it be uſeful to you.

P. S. If you were in this place, it would quite turn your little head; here would be ſo much of your dear vanity, that you would think rather leſs, if poſſible, than moſt of the company, who ſquander away their whole time, and do nothing.

LETTER II.

My dear little Boy, *Bath.*

THE deſire of being pleaſed is univerſal; the deſire of pleaſing ſhould be ſo too. It is included in that great and fundamental principle of morality, of doing to others what one wiſhes they ſhould do to us. There are indeed ſome moral duties of a much higher nature, but none of a more amiable; and I do not heſitate to place it at the head of what Cicero calls the *leniores virtutes*.

The benevolent and feeling heart performs this duty with pleaſure, and in a manner that gives it at the ſame time; but the great, the rich, the powerful, too often beſtow their favours upon their inferiors, in the manner they beſtow their ſcraps upon their dogs; ſo as neither to oblige man nor dogs. It is no wonder if favours, benefits, and even charities, thus beſtowed ungraciouſly, ſhould be as coldly and faintly acknowledged. Gratitude is a burden upon our imperfect nature; and we are but too willing to eaſe ourſelves of it, or at leaſt to lighten it as much as we can.

The *manner*, therefore, of conferring favours or benefits, is, as to pleaſing, almoſt as important as the matter itſelf. Take care, then, never to throw away the obligations, which perhaps you may have it in your power to confer upon others, by an air of inſolent protection, or by a cold and comfortleſs manner, which ſtifles them in their birth. Humanity inclines, religion requires, and our moral duties oblige us, as far as we are able, to relieve the diſtreſſes and miſeries of our fellow-creatures: but this is not all; for a true heartfelt benevolence and tenderneſs, will prompt us to contribute what we can to their eaſe, their amuſement, and their pleaſure, as far as innocently we may. Let us then not only ſcatter benefits, but even ſtrow flowers for our fellow-travellers, in the rugged ways of this wretched world.

There are ſome, and but too many in this country particularly, who, without the leaſt viſible taint of ill-nature or malevolence, ſeem to be totally indifferent, and do not ſhew the leaſt deſire to pleaſe; as, on the other hand, they never deſignedly offend. Whether this proceeds from a lazy, negligent, and littleſs diſpoſition, from a gloomy and melancholic nature, from ill health, low ſpirits, or from a ſecret and ſullen pride, ariſing from the conſciouſneſs of their boaſted liberty and independency, is hard to determine, conſidering the various movements of the human heart, and the wonderful errors of the human head. But be the cauſe what it will, that neutrality, which is the effect of it, makes theſe people, as neutralities do, deſpicable, and mere blanks in ſociety. They would ſurely be roufed from their indifference, if they would ſeriouſly conſider the infinite *utility of pleaſing*, which I ſhall do in my next.

LETTER III.

My dear little Boy, *Bath.*

As the utility of pleaſing ſeems to be almoſt a ſelf-evident propoſition, I ſhall rather hint it to you, than dwell upon it. The perſon who manifeſts a conſtant deſire to pleaſe, places his perhaps ſmall ſtock of merit, at great intereſt. What vaſt returns, then, muſt real merit, when thus adorned, neceſſarily bring in? A prudent uſurer would with tranſport

place

place his laſt ſhilling at ſuch intereſt, and upon ſo ſolid a ſecurity.

The man who is amiable, will make almoſt as many friends as he does acquaintances, I mean in the current acceptation of the word; but not ſuch ſentimental friends as Pylades or Oreſtes, Niſus and Euryalus, &c.; but he will make people in general wiſh him well, and inclined to ſerve him in any thing not inconſiſtent with their own intereſt.

Civility is the eſſential article towards pleaſing, and is the reſult of good nature, and of good ſenſe; but good breeding is the decoration, the luſtre of civility, and only to be acquired by a minute attention to, and experience of good company. A good-natured ploughman, or fox-hunter, may be intentionally as civil as the politeſt courtier; but their manner often degrades and vilifies their matter; whereas, in good-breeding, the *manner* always adorns and dignifies the *matter* to ſuch a degree, that I have often known it give currency to baſe coin. We may truly ſay, in this caſe, *materiam ſuperat opus*.

Civility is often attended by a ceremonioufneſs, which good-breeding corrects, but will not quite aboliſh. A certain degree of ceremony is a neceſſary outwork of manners, as well as of religion: it keeps the forward and petulant at a proper diſtance, and is a very ſmall reſtraint to the ſenſible, and to the well-bred part of the world. We find in the Tale of a Tub, that *Peter* had too much pomp and ceremony, *Jack* too little; but *Martin*'s conduct ſeems to be a good rule for both worſhip and manners; and good ſenſe and good breeding purſue this true medium. In my next, I ſhall conſider the *means* of pleaſing.

P. S. I am very ſorry I can ſend you no veniſon this year; but I have no doe-veniſon this time, the ſeaſon has been ſo unfavourable. You muſt celebrate your natal day this year without it, which you will do beſt by reflecting that you are now ten years old, and that you have no time to loſe in trifling childiſh diſſipation. You muſt apply now, or never.

[*To be continued.*]

Mr URBAN, *March* 1774.

I Do not find that any one has taken notice, that the *Quaternion* (number 4.) of Pythagoras had any meaning or myſtery concealed in it.

But finding that he had made it the ſubject of an oath, and the ſource of immortality, and conſidering that he was one of the greateſt philoſophers and moſt learned men of his time, I could not believe that he would ſwear by the bare number four, without ſome myſterious meaning couched in it.

Now, in order to develope the myſtery of this number 4, it is to be obſerved, that Pythagoras travelled through many parts of the world in ſearch after knowledge; and we may ſuppoſe, that whereever he came he would get acquainted with the moſt learned men of that place: and as the diſcourſe of ſuch men would naturally turn upon ſome abſtruſe and ſublime ſubjects, they could not fail of introducing the mention of their gods; and Pythagoras would ſoon diſcover, that none of them believed all thoſe to be gods, which were vulgarly eſteemed ſuch; but that all of them agreed, that, though they had more gods than one, yet there was one ſupreme god, (who was generally called *Jupiter*), to whom they aſcribed many divine attributes, as omniſcience, omnipreſence, &c. (*Jupiter eſt quodcunque vides, quocunque moveris, &c.*) All this was agreeable to the notion of a true god, which ſuch a man as Pythagoras muſt have formed to himſelf.

But ſtill this gives no account how he came to call this god *Tetractune* (number 4.)—Now, as to this, it is very probable, that, in his travels after knowledge, he ſomewhere got acquainted with a learned Rabbi; and as ſuch perſons would often be diſcourſing upon ſome lofty and difficult ſubjects, ſuch as the origin of all things, the nature of the gods, &c. this gave occaſion to the Rabbi to tell him, that the Jews allowed but one God, who was the maker of all things both in heaven and on earth; that he formed the firſt man out of the duſt of the ground, and breathed into him the breath of life, and ſo man became a living ſoul, and the origin of all mankind.

Now, this of the Rabbi muſt appear ſo rational to Pythagoras, and agreed ſo well with his doctrine of the immortality of the ſoul given to man by God, that he could not but inquire after the name of this their God; and the Jew would tell him, that the name of this, the only God, conſiſted of four letters, which in their language was JEHOVAH.

Pythagoras, conſidering all this, could

not but be convinced in his mind, that this god of the Jews, muſt be that one ſupreme God allowed by all.

But, however, he might think it proper not to make uſe of this new name of a god, not known to any other nation in the world; and, therefore, he concealed the name *Jehovah* under the word *Tetractys*, the god of four letters. And this gave riſe to that ſynonimous and common name *Tetragrammaton*, for *Jehovah*.

Now, this account unfolds the myſtery of Pythagoras's number 4, and ſhews how it was the proper ſubject of an oath, as appealing to the great God of the univerſe; Ναι μα τὴν Τετρακτυν being an oath much more proper and ſignificant than Ναι μα Ορκον, or Ναι μα Δια. — I am, &c.

Y. Z.

Medical and Philoſophical Commentaries, vol. 1. [xxxv 654.]

Caſes of putrid fevers, in which fixed air [87.] *was injected into the inteſtines, with apparent advantage, by Thomas Percival, M. D.*

[The Engliſh of the preſcriptions is added from the Gentleman's Magazine].

ABout twelve months ſince, my learned friend, the Rev. Dr Prieſtley, ſuggeſted to me the trial of fixed air in putrid fevers, adminiſtered under the form of clyſters. And I was ſoon after favoured, by a gentleman of eminence in his profeſſion at Leeds, with a very ſatisfactory hiſtory of the ſucceſsful exhibition of this remedy. This encouraged me to try it in the following deplorable caſe. And though the diſeaſe proved fatal to the patient, it ſeems probable to me, and to another gentleman of the faculty who attended him, that his life was protracted, and his ſufferings mitigated, by the continued uſe of this remedy.

Mr W— , aged 44, corpulent, inactive, with a ſhort neck, and addicted to habits of intemperance, was attacked, on the 7th of July 1772, with ſymptoms which ſeemed to threaten an apoplexy. On the 8th, a bilious looſeneſs ſucceeded, with a profuſe hæmorrhage from the noſe. On the 9th, I was called to his aſſiſtance. His countenance was bloated, his eyes heavy, his ſkin hot, and his pulſe hard, full, and oppreſſed. The diarrhœa continued; his ſtools were bilious, and very offenſive; and he complained of griping pains in his bowels. He had loſt, before I ſaw him, eight ounces of blood from the arm, which was of a lax texture; and he had taken a ſaline mixture every ſixth hour. The following draught was preſcribed, and a doſe of rhubarb directed to be adminiſtered at night.

R. *Aq. Cinnam. ten.* oz. i. *Succ. Limon.* oz. ſs. *Salis Nitri* gr. xii. *Syr. e Succo Limon.* dr. i. *M. f. hauſt. 4is horis ſumendus.*

[Take of Simple Cinnamon Water one ounce, Lemon Juice half an ounce, Salt of Nitre grains twelve, Syrup of Lemon Juice one drachm; mix and make a draught, to be taken every four hours.]

July 11. The diarrhœa was more moderate, his griping pains were abated, and he had leſs ſtupor and dejection in his countenance; pulſe 90, not ſo hard or oppreſſed. As his ſtools continued to be fœtid, the doſe of rhubarb was repeated; and, inſtead of ſimple cinnamon water, his draughts were prepared with an infuſion of Columbo root.

12. The diarrhœa continued; his ſtools were involuntary, and he diſcharged in this way a quantity of black, grumous, and fœtid blood. Pulſe hard and quick; ſkin hot; tongue covered with a dark fur; abdomen ſwelled; great ſtupor. Ten grains of the Columbo root, and fifteen of the gummi rubrum aſtringens, were added to each draught. Fixed air, under the form of clyſters, was injected every ſecond or third hour; and directions were given to ſupply the patient plentifully with water artificially impregnated with mephitic air. A bliſter was alſo laid between his ſhoulders.

13. The diarrhœa continued, with frequent diſcharges of blood; but the ſtools had now loſt their fœtor. Pulſe 120; great flatulence in the bowels, and fulneſs in the belly. The clyſters of fixed air always diminiſhed the tenſion of the abdomen, abated flatulence, and made the patient more eaſy and compoſed for ſome time after their injection. They were directed to be continued, together with the medicated water. The nitre was omitted, and a ſcruple of Confect. Damocratis was given every fourth hour, in an infuſion of Columbo root.

14. The diarrhœa was now checked. His other ſymptoms continued as before. Bliſters were applied to the arms; and a drachm and a half of the tinctura ſerpentariæ was added to each draught.

15. His

15. His pulſe was quicker, more irregular, and feeble. He doſed much, talked incoherently, and laboured under a ſlight degree of dyſpnœa. His urine, which had hitherto aſſumed no remarkable appearance, now became pale. Tho' he diſcharged wind very freely, his belly was much ſwelled, except for a ſhort time after the injection of the air-clyſters. The following draughts were then preſcribed:

R. *Camphoræ, Mucilag. G. Arab. ſolutæ* gr. viii. *Infuſ. Rad. Columb.* oz. iſs. *Tinct. Serpent.* dr. ii. *Confect. Card.* ſcr. i. *Syr. Cort. Aurant.* dr. i. *M. f. hauſt. 4is horis ſumendus.*

[Take of Camphire grains eight, diſſolve it in a ſmall quantity of Mucilage of Gum Arabic, Infuſion of Columbo root an ounce and a half, Tincture of Snake-root two drachms, Cordial Confection one ſcruple, Syrup of Orange Peel one drachm; mix and make a draught, to be taken every four hours].

Directions were given to foment his feet frequently with vinegar and warm water.

16. He has had no ſtools ſince the 14th. His abdomen is tenſe. No change in the other ſymptoms. The tinct. ſerpent. was omitted in his draughts, and an equal quantity of tinct. rhei ſpt. ſubſtituted in its place.

In the evening, he had a motion to ſtool, of which he was for the firſt time ſo ſenſible as to give notice to his attendants. But the diſcharge, which was conſiderable, and ſlightly offenſive, conſiſted almoſt entirely of blood, both in a coagulated and in a liquid ſtate. His medicines were, therefore, varied as follows.

R. *Decoct. Cort. Peruv.* oz. iſs. *Tinct. Cort. ejuſd.* dr. ii. *Confect. Card.* dr. i. *Gum. Rub. aſtring.* gr. xv. *Pulv. Alumin.* gr. vii. *M. f. hauſt 4is horis ſumendus.*

[Take of Decoction of Bark an ounce and a half, Tincture of the ſame two drachms, Cordial Confection one drachm, the Red Aſtringent Gum fifteen grains, Powder of Allum grains ſeven; mix and make a draught, to be taken every four hours.]

Red-port wine was now given more freely in his medicated water, and his nouriſhment conſiſted of ſago and ſalep.

In this ſtate, with very little variation, he continued for ſeveral days, at one time coſtive, and at another diſcharging ſmall quantities of fœces, mixed with grumous blood. The air-clyſters were continued, and the aſtringents omitted.

20. His urine was now of an amber colour, and depoſited a ſlight ſediment. His pulſe was more regular, and, altho' ſtill very quick, abated in number ten ſtrokes in a minute. His head was leſs confuſed, and his ſleep ſeemed to be refreſhing. No blood appeared in his ſtools, which were frequent, but ſmall in quantity; and his abdomen was leſs tenſe than uſual. He was extremely deaf; but gave rational anſwers to the few queſtions which were propoſed to him; and ſaid he felt no pain.

21. He paſſed a very reſtleſs night; his delirium recurred; his pulſe beat 125 ſtrokes in a minute; and his urine was of a deep amber colour when firſt voided, but when cold it aſſumed the appearance of cow's whey. The abdomen was not very tenſe, nor had he any farther diſcharge of blood. Directions were given to ſhave his head, and waſh it with a mixture of vinegar and brandy; the quantity of wine in his drink was diminiſhed, and the frequent uſe of the pediluvium was injoined. The air-clyſters were diſcontinued, as his ſtools were not offenſive, and his abdomen leſs diſtended.

22. His pulſe was now ſmall, irregular, and beat 130 ſtrokes in a minute. The dyſpnœa was greatly increaſed; his ſkin was hot, and bedewed with a clammy moiſture; and every ſymptom ſeemed to indicate the approach of death. In this ſtate he continued till evening, when he recruited a little. The next day he had ſeveral ſlight convulſions. His urine, which was voided plentifully, ſtill put on the appearance of whey when cold. Cordial and antiſpaſmodic draughts, compoſed of camphor, tincture of caſtor, and ſpt. vol. aromat. were now directed; and wine was liberally adminiſtered.

24. He roſe from his bed, and, by the aſſiſtance of his attendants, walked acroſs the chamber. Soon after he was ſeized with a violent convulſion, in which he expired.

To adduce a caſe which terminated fatally, as a proof of the efficacy of any medicine recommended to the attention of the public, may perhaps appear ſingular. But it cannot be deemed abſurd, when

when that remedy anſwered the purpoſes for which it was intended. For, in the inſtance before us, fixed air was employed, not with an expectation that it would cure the fever, but to obviate the ſymptoms of putrefaction, and to allay the uneaſy irritation in the bowels. The diſeaſe was too malignant, the nervous ſyſtem too violently affected, and the ſtrength of the patient too much exhauſted by the diſcharges of blood which he ſuffered, to afford hopes of recovery from the uſe of the moſt powerful antiſeptics.

But, in the ſucceeding caſe, the event proved more fortunate.

Eliſabeth Grundy, aged ſeventeen, was attacked, on the 16th of December 1772, with the uſual ſymptoms of a continued fever. The common method of cure was purſued; but the diſeaſe increaſed, and ſoon aſſumed a putrid type. On the 23d, I found her labouring under a conſtant delirium, with a *ſubſultus tendinum*. Her ſkin was hot and dry, her tongue black, her thirſt immoderate, and her ſtools frequent, extremely offenſive, and for the moſt part involuntary. Her pulſe beat 130 ſtrokes in the minute; ſhe doſed much, and was very deaf. I directed wine to be adminiſtered freely, a bliſter to be applied to her back, the pediluvium to be uſed ſeveral times in the day, and mephitic air to be injected under the form of a clyſter every two hours. The next day her ſtools were leſs frequent, had loſt their fœtor, and were no longer diſcharged involuntarily; her pulſe was reduced to 110 ſtrokes in the minute, and her delirium was much abated. Directions were given to repeat the clyſters, and to ſupply the patient liberally with wine. Theſe means were aſſiduouſly purſued for ſeveral days; and the young woman was ſo much recruited by the 28th, that the injections were diſcontinued. She was now quite rational, and not averſe to medicines. A decoction of Peruvian bark was therefore preſcribed; by the uſe of which ſhe ſpeedily recovered her health.

AMERICAN PAPERS. [127. xxxv. 526.].

TO LORD DARTMOUTH.

Province of Maſſachuſet's-bay, June 29. 1773.

MY LORD,

THE re-eſtabliſhment of the union and harmony that formerly ſubſiſted between G. Britain and her colonies is earneſtly to be wiſhed by the friends of both. As your Lordſhip is one of them, the two Houſes of the Aſſembly of this province beg leave to addreſs you.

The original cauſes of the interruption of that union and harmony may probably be found in the letters ſent from hence to adminiſtration, and to other gentlemen of influence in parliament, ſince the appointment of Sir Francis Bernard to the government of this province; and there is great reaſon to apprehend, that he, and his coadjutors, originally recommended and laid the plans for the eſtabliſhing the American revenue, out of which they expected large ſtipends and appointments for themſelves, and which, through their inſtrumentality, has been the occaſion of all the evils that have ſince taken place.

When we had humbly addreſſed his Majeſty, and petitioned both Houſes of Parliament, repreſenting our grievances, and praying for the repeal of the revenue-acts, the like inſtruments, and probably the ſame, exerted themſelves to prevent thoſe petitions being laid before his Majeſty and the parliament, or to fruſtrate the prayer of them. Of this we have juſt had ſome new and unexpected evidence, from original letters of Gov. Hutchinſon and Lt.-Gov. Oliver [xxxv. 408, 80. 523.], in which the former particularly and expreſsly, by his letter of the 10th of December 1768, endeavoured, in co-operation with Gov. Bernard, to fruſtrate a petition of a number of the council for the repealing thoſe acts, and to procure his Majeſty's cenſure on the petitioners; and the letters of the latter, by the diſadvantageous idea conveyed by them of the two Houſes of Aſſembly, manifeſtly tended to create a prejudice againſt any petitions, coming from a body of ſuch a character; and his letter of the 11th of May 1768, in particular, mentions the petition of the Houſe of Repreſentatives to his Majeſty, and their letters to divers Noble Lords, with ſuch circumſtances as had a tendency to defeat the petition, and render the letters of no effect.

It is manifeſt, my Lord, what practices and arts have been uſed to miſlead adminiſtration, both in the firſt propoſal of American revenue-acts, and in the continuance of them; but when they had loſt their force, and there appeared, under the influence of your Lordſhip, a

diſpoſition

diſpoſition in parliament to repeal thoſe acts, his Excellency Gov. Hutchinſon, in his ſpeech at the opening of the laſt ſeſſion of the general court [xxxv. 97.], was pleaſed to throw out new matter for contention and debate, and to call on the two Houſes, in ſuch a preſſing manner, as amounted to little ſhort of a challenge, to anſwer him; into ſuch a dilemma were they brought by the ſpeech, that they were under a neceſſity of giving ſuch anſwers to it as they did, or having their conduct conſtrued into an acquieſcence with the doctrines contained in it, which would have been an implicit acknowledgement, that the province was in a ſtate of ſubjection, differing very little from ſlavery. The anſwers were the effect of neceſſity; and this neceſſity occaſioned great grief to the two Houſes.

The people of this province, my Lord, are true and faithful ſubjects of his Majeſty, and think themſelves happy in their connection with G. Britain: they would rejoice at the reſtoration of the harmony and good-will that once ſubſiſted between the parent-ſtate and them; but it is in vain to expect this happineſs during the continuance of their grievances; and while their charter-rights, one after another, are wreſted from them. Among theſe rights is the ſupporting of the officers of the crown by grants from the aſſembly [xxxv. 218.]; and, in an eſpecial manner, the ſupporting of the judges in the ſame way, on whoſe judgement the province is dependent in the moſt important caſes of life, liberty, and property. If warrants have not yet been, or if they already have been iſſued, we earneſtly beg the favour of your Lordſhip's interpoſition to ſuppreſs or recall them.

If your Lordſhip ſhould condeſcend to aſk, "What are the means of reſtoring the harmony ſo much deſired?" we ſhould anſwer in a word, "That we are humbly of opinion, if things were brought to the general ſtate in which they ſtood at the concluſion of the late war, it would reſtore the happy harmony which at that time ſubſiſted."

Your Lordſhip's appointment to be Principal Secretary of State for the American department has given the colonies the higheſt ſatisfaction: they think it a happy omen, and that it will be productive of American tranquility, conſiſtent with their rights as Britiſh ſubjects.

The two Houſes humbly hope for your Lordſhip's influence to bring about ſo happy an event; and in the mean time they can with full confidence rely on your Lordſhip, that the machinations of Sir Francis Bernard, and other known enemies of the peace of G. Britain and her colonies, will not be ſuffered to prevent or delay it.

This letter, which has been agreed on by both Houſes, is in their name, and by their order, ſigned and tranſmitted to your Lordſhip, by,

My LORD, your Lordſhip's moſt obedient, and very humble ſervant,
THOMAS FLUCKER, Secretary.

The preceding is a true copy of the letter wrote to the Rt Hon. the Earl of Dartmouth.

(Atteſted, THOMAS FLUCKER, Sec.)

London Chronicle, March 15.

Reſolutions of the town of Marſhfield, in the province of Maſſachuſet's-bay.

AT a Town-meeting held in Marſhfield, the 31ſt of January 1774, Nathaniel Ray Thomas was choſen Moderator at the ſaid meeting.

The vote was put, to know the Town's mind, whether he the ſaid Moderator ſhould have leave to ſpeak his mind and declare his ſentiments relating to the things mentioned in the warrant; and it paſſed in the affirmative.

And then the vote was put, to know their minds, whether they will act upon the warrant for ſaid meeting; and it paſſed in the affirmative.

Then they proceeded to chuſe a committee conſiſting of ſeven men, viz. Dr Iſaac Winſlow, Nathaniel Ray Thomas, Eſq; Meſſ. Eliſha Ford, Seth Bryant, William Stevens, John Baker, and Ephraim Little, to take into conſideration and draw up what they ſhould think proper to be voted by this Town, and to make their report: and then the meeting was adjourned for half an hour; and at the expiration of that term made their report, which was as follows.

"This Town taking into conſideration the late tumultuous, and, as we think, illegal proceedings, in the town of Boſton, in the detention and deſtruction of the teas belonging to the Eaſt-India company, which we apprehend will affect our properties if not our liberties, think it our indiſpenſable duty to ſhew our diſapprobation of ſuch meaſures and proceedings:—Therefore voted and reſolved, as the opinion of this Town,

1. That

1. That this Town ever have and always will be good and loyal ſubjects to our Sovereign Lord King George III. and will obſerve, obey, and enforce, all ſuch good and wholeſome laws as are or ſhall be conſtitutionally made by the legiſlature or community of which we are members; and by all legal ways and means, to the utmoſt of our power and ability, will protect, defend, and preſerve, our liberties and privileges, againſt the machinations of foreign or domeſtic enemies.

2. Reſolved, That the late meaſures and proceedings in the town of Boſton, in the detention and deſtruction of the teas belonging to the Eaſt-India company, were illegal and unjuſt, and of a dangerous tendency.

Therefore, 3. Reſolved, That Abijah White, Eſq; the preſent repreſentative of this town, be, and is hereby inſtructed and directed, to uſe his utmoſt endeavours that the perpetrators of thoſe miſchiefs may be detected and brought to juſtice. And as the country has been heretofore drawn in to pay their proportionable part of the expence which accrued from the riotous and unruly proceedings and conduct of certain individuals in the town of Boſton,—if application ſhould be made to the general court by the Eaſt India company, or any other perſons, for a conſideration for the loſs of ſaid teas, you are by no means to acquieſce, but bear your teſtimony againſt any meaſures by which expence may accrue to the province in general, or to the town of Marſhfield in particular; and that thoſe people only who were acting, aiding, and aſſiſting, or conniving, at the deſtruction of ſaid teas, pay for the ſame.

That our repreſentative be, and hereby is further inſtructed, to uſe his utmoſt endeavours at the general court, that the laws of this province be carried into due execution, and that all offenders againſt the ſame be properly puniſhed. And we do further declare it as our opinion, that the grand baſis of Magna Charta and the Reformation is liberty of conſcience, and the right of private judgement: wherefore we do renounce all methods of impoſition, violence, and perſecution, ſuch as has been moſt ſhamefully exerciſed upon a number of the inhabitants of the town of Plymouth, by obliging them to ſign a recantation as called, and in caſe of refuſal to have their houſes pulled down, or they tarred and feathered, and all this under the ſpecious maſk of liberty."

Which being read, they voted to accept of the report, and that the Town-clerk record it, and grant a copy to Abijah White, Eſq; preſent repreſentative of ſaid town, and that he put it into the public papers.

Atteſted copy,

Per NEH. THOMAS, Town-clerk.

A plan for American taxation.

1. LET the ſpecial taxes be removed, and no more laid on the goods exported from hence, and imported in our American colonies. Inſtead thereof, let it be enacted, That,

2. A yearly tax be impoſed in a *general* indefinite way on each of the colonies: To be every year proportioned and raiſed by *themſelves*, as follows.

3. Let the fundamental or ruling principle of ſuch proportion, be the ſum-total of whatever money we yearly raiſe at home among ourſelves.— From this principle, it will undeniably follow, that the Americans can never be taxed for any thing but for what we ſhall firſt have taxed ourſelves.

4. Let the reſpective colonies, as ſoon as they find it convenient, (after they are appriſed of the quantum of ſuch ſum-total), proceed in their reſpective general aſſemblies, with the approbation of their Governor, to raiſe each of them ſuch a further ſum as ſhall bear ſuch a proportion to the ſaid ſum-total as the ability of ſuch colony may be judged able to bear, to the ability of G. Britain; ſuch proportion to be eſtimated by them according to the circumſtances of the caſe, and the ſtate of exports, imports, the number of their people, the produce of the country, &c.

Royal charters ſubject to review.

THE ſovereign legiſlative power in England is delegated by the people to the King, Lords, and Commons, in parliament aſſembled. The King, therefore, being but one of the three eſtates, is not inveſted with a legal right to conſtitute a ſociety from among the people, and eſtabliſh a juriſdiction which ſhall be exempt in any inſtance from the controuling power of the Britiſh legiſlature. Upon this principle, all charters granted by our Kings are ſubject to be reviſed or annihilated by the legiſlature whenever they operate againſt the general intereſt of the Britiſh nation.

T. N.

Temple, March 11.

Arguments

Arguments of counſel and opinions of judges concerning literary property: Alexander and John Donaldſons, bookſellers in Edinburgh and London, Appellants from a decree of the court of chancery; Thomas Becket, and fourteen other bookſellers of London, Reſpondents.

A ſhort ſtate of the facts.

JAmes Thompſon wrote Sophoniſba, a tragedy, and Spring, a poem; and, by indenture, Jan. 16. 1729, aſſigned to Andrew Millar, his aſſigns, &c. true copies of the ſaid tragedy and poem, and the ſole and excluſive right and property of printing the ſaid copies, and alſo all benefit of all additions, corrections, and amendments, which ſhould be afterwards made in them, for 137l. 10s.

Mr Thompſon was alſo author of the following poems, Summer, Autumn, Winter, Britannia, A poem ſacred to the memory of Sir Iſaac Newton, An hymn on the ſucceſſion of the ſeaſons, and, An eſſay on deſcriptive poetry; and theſe were purchaſed from him, July 28. 1729, in the manner aforeſaid, by John Millan, for 105l.

By indenture, June 16. 1738, Mr Millar purchaſed from Mr Millan the whole property of the aforementioned poems which the latter had purchaſed from the author Mr Thompſon, at the original price of 105l.

Mr Millar died in June 1768.

The copy-right of the ſeveral poems before mentioned, with the ſole right of printing, publiſhing, and vending them, was ſold, by order of Mr Millar's executors, June 13. 1769, by auction, at the Queen's-Arms tavern, London; and was purchaſed by fifteen bookſellers of London, in the proportions and at the prices annexed to their names reſpectively, viz.

John Rivington, a 15th, at	L. 32	12
William Johnſon, a 15th, -	32	12
William Strahan, a 15th, -	32	12
Thomas Longman, a 15th, -	32	12
William Richardſon, and John Richardſon, two 12ths, -	88	10
Thomas Lowndes, a 12th, -	43	0
Thomas Caſlon, a 12th, -	43	0
George Kearſley, a 12th, -	42	0
Henry Baldwin, a 12th, -	42	0
Thomas Cadell, a 15th, -	32	12
William Owen, a 12th, -	41	10
Thomas Davies, a 12th, -	42	0
	L. 505	0

Thomas Becket and Peter Abraham De Houdt purchaſed of Thomas Davies a 24th, i. e. a half of his 12th, for 21l.

At ſuch auctions only London bookſellers were admitted, and even of theſe a ſelect number only. This auction of Thompſon's poems, as is ſaid in *Obſervations on the Caſe of the Bookſellers of London and Weſtminſter*, was confined to a ſelect number of bookſellers, and none were admitted but ſuch as had cards ſent them for that purpoſe. Alexander Donaldſon wiſhed to attend the ſale, but had notice that it would be diſagreeable. Such ſales were not open: on ſome occaſions, perſons who had cards of admiſſion, were turned out of the room.

After the purchaſe by the reſpondents, the appellants publiſhed and ſold ſeveral copies of the aforementioned poems, viz. Spring, Summer, Autumn, and Winter, and the Hymn on the ſucceſſion of the ſeaſons, in a volume, intitled, *The Seaſons, by James Thompſon: Edinburgh, printed by A. Donaldſon*, 1768. The book was printed, and the ſale begun before the purchaſe; but the right of the reſpondents did not commence till the purchaſe.

For this publication and ſale a bill was filed in chancery, Jan. 21. 1771, by the reſpondents. The appellants put in their anſwer to this bill July 16. 1771: in which the facts of having printed and ſold the book were admitted; but it was contended, that as twenty-eight years, the longeſt period allowed by the act 8° Ann. for the monopoly of any new work, had elapſed after the firſt publication, before the book had been printed or ſold by the appellants; the reſpondents could not then have the ſole right of printing and uttering that book. After various proceedings, the court of chancery, Nov. 16. 1772, decreed, That the injunction which had been granted *pendente lite*, to reſtrain the appellants from publiſhing any more copies of that book, ſhould be made perpetual; "and that it be referred to a maſter in chancery, to take an account of what had been received by the appellants, or either of them, or by any other perſon by their or either of their order, or for their or either of their uſe, by, from, or on account of publiſhing and ſelling of the poems in the pleadings mentioned, and that the appellants ſhould pay to the reſpondents what ſhould be found due from them on the balance of the ſaid account; and reſerve the conſideration of coſts until after the maſter ſhould have made his report."

From this judgement an appeal was taken by Meſſ. Donaldſon to the Houſe

of Lords; and it was heard ſeveral days, viz. Feb. 4. 7. 8. 9. 15. 17. and 22.—The counſel were, for the appellants, Mr Thurloe, attorney-general, Sir John Dalrymple, and Mr Murphy; for the reſpondents, Mr Wedderburn, ſolicitor-general, Mr Dunning, and Mr Hargrave.—The reſpondents contended, That an author, and his aſſigns, has a excluſive right in his literary compoſitions, at common law, prior to and independent of the act 8° Ann.; the intent of which act, ſaid they, was only to aſcertain penalties; and that this right deſcended in perpetuity to heirs, executors, and aſſigns. The appellants, on the other hand, contended, That an author, and his aſſigns, has no right at common law, to his literary compoſitions, nor no legal right whatever but what the act 8° Ann. gives him.—We now proceed to the pleadings; omitting ſome of the arguments already inſerted, from the proceedings in the court of ſeſſion. [9. 65.]

Feb. 4. Mr Thurloe opened the debate. He firſt entered into a minute inveſtigation of the idea inculcated by what is called a *publication*; he then dwelt much upon the ſenſe of the word *property*, defining it philoſophically, and in the ſeparate lights of being corporeal and ſpiritual. The term *literary property* he in a manner laughed at, as ſignifying nothing but what was of too abſtruſe and chimerical a nature to be defined. The booksellers, he obſerved, (exemplifying his obſervations by ſeveral caſes), had not, till lately, ever concerned themſelves about authors, but had generally confined the ſubſtance of their prayers to the legiſlature, to the ſecurity of their own property; nor would they probably have, of late years, introduced the authors as parties in their claims to the common-law right of excluſively multiplying copies, had not they found it neceſſary to give a colourable face to their monopoly. He was very diffuſive upon grants, charters, licences, and patents from the crown, both to corporate bodies and individuals, tracing them far back, and aſſerting, that they all ſpecifically proved, that if there had been any inherent right of excluſively multiplying copies, ſuch inſtances of exerting the royal prerogative would have been unneceſſary. He particularly adverted to the ſtatute 8° Ann. maintaining, that it was not merely an accumulative act, declaratory of the common law, and giving additional penalties; but that it was a new law, to give learned men a property which they had not before; and that it was an incontrovertible proof that there previouſly exiſted no common-law right, as contended for by the reſpondents. He cited many caſes to prove his arguments; ſome before the 8th of Q. Anne, and others immediately upon that ſtatute, generally inferring, that the grand queſtion touching the common-law right had never been deciſively determined by any chancellor. He concluded his ſpeech with a compliment to his learned co-adjutor, and a hope, that, as the court of ſeſſion in Scotland had freed their country from a ſpecies of injurious monopoly regarding the preſent queſtion, their Lordſhips would follow ſo very laudable an example, and reverſe the decree of the court of chancery.

Feb. 7. Sir John Dalrymple was next heard.

He laid down two preliminary obſervations:

1. "That the beſt and only method of diſcovering how the law ſtood in any abſtruſe caſe, was by adverting to a hiſtory of the law.

2. "That the matter having been decided in favour of his clients by the Lords of Seſſion in Scotland, ten Lords to one, evinced that the appellants had ſubſtantial juſtice on their ſide."

Sir John obſerved, That the Scotch lawyers, when the queſtion concerning literary property was lately agitated in that kingdom, found themſelves juſtified in affirming, that no ſuch property ever was claimed in any civilized nation, England excepted.

In conformity to the firſt preliminary obſervation, Sir John proceeded to give an hiſtory of the law reſpecting literary works. This hiſtoric account he divided into three periods; from the invention of printing to the inſtitution of the Stationers company in Q. Mary's reign: from the inſtitution of the Stationers company to the licenſing act; and from the licenſing act to the ſtatute 8° Ann.

Printing, Sir John ſaid, was, when firſt diſcovered, deemed a myſtery; the journeymen and apprentices were laid under ſevere injunctions not to lay open the principles of the art; and they were then under no other reſtraints than what they impoſed upon themſelves.

Sir John then mentioned the ſeveral books

books printed previous to the inſtitution of the Stationers company; and, from the ſilence reſpecting literary property during the whole of that period, Sir John deduced a ſtrong preſumptive proof, that the common law recogniſed no ſuch thing as literary property.

Sir John then ſtated the hiſtory of the inſtitution of the Stationers company. He ſaid, It was inſtituted in the reign of Philip and Mary, princes who ruled with a deſpotic ſway; that they, like every other deſpotic prince, wiſhed to cruſh the liberty of the preſs: the bookſellers, however, acquieſced in the act, becauſe ſuch of them as were members of the Stationers company were benefited by it. There were many curious regulations, Sir John ſaid, ſubſiſting in this company; he had read them all, and found the following three.

1. That no *two* perſons ſhould ſpeak at *once*.

2. That every member ſhould ſpeak *with his hat off*.

3. That a member ſhould ſpeak *ſeriouſly*.

From ſuch important regulations, the importance of the company might be deduced: yet, during the whole of this period, not a ſuggeſtion about common-law right to literary property was ſtarted; books were printed by licence or leave from the Stationers company, and publiſhed *cum privilegio*. Whilſt, therefore, the members of the Stationers company agreed among themſelves, the charter granted to that company was a charter enacting a body of licenſers, ſued for on a principle of intereſt, and granted by the crown on the principle of policy.

That books were publiſhed during all this time by privilege, or patent, was, Sir John ſaid, a notorious fact; for he could produce a liſt of many thus publiſhed, almoſt *as long as his arm*.

When the members of the Stationers company, however, quarrelled amongſt themſelves, then each talked of ſome favourite book as his property: that the public might be impreſſed with the conſequential notion of the word, it was generally printed, ſaid Sir John, in letters *as long as my finger*. Thoſe who plumed themſelves upon being the owners of theſe works, called themſelves *proprietors*, and the works were *copy-right*.

Thus diſmiſſing the Stationers company, with ſeveral other ſevere animadverſions, Sir John touched upon the decrees of the Star-chamber, which, he obſerved, were heinous exertions of unconſtitutional power; yet none of them, reſpecting books, recogniſed any other right to veſt in the author, or his aſſignees, than that created by patent.

He then proceeded to examine the ordinances iſſued in the time of the commonwealth, and inſtanced a truth founded on the experience of ages, "That men always took the very ſame methods to keep power, when they had obtained it, which they blamed in others before they gained their point." Thus, argued he, the commonwealth-men abuſed the king and miniſtry for edicts laying reſtraints upon the preſs; and yet, no ſooner had they obtained the reins of government, than they cauſed ordinances to be iſſued, prohibiting a book to be publiſhed that had not undergone ſtate-reviſion. But though the preſs was ever an object both to legal and uſurping princes, in no regulations reſpecting it was a common-law right in books noticed in the moſt diſtant manner: yet, had ſuch right exiſted, we ſurely muſt have heard of it, particularly as ſome of the Britiſh princes were authors. James I. took it into his head to turn poet; he employed his leiſure-hours, whilſt in Scotland, in tranſlating the Pſalms of David. His ſon publiſhed this work: yet ſo far was he from dreaming about a common-law right, that he granted a patent for the printing it.

The book about which the action is brought, ſaid Sir John, was printed at Edinburgh; in Scotland there is no ſuch thing as literary property; by the articles of union, matters reſpecting traffick ſtand mutually upon the ſame footing: can, therefore, or cannot a man import into this part of the kingdom, and here ſell, books printed in Scotland?

Feb. 8. Mr Wedderburne ſpoke firſt on the other ſide. Literary property, he obſerved, had, by thoſe who ſpoke before him, been ſaid to be ſo abſtruſe and chimerical, that it was not poſſible to define it. The interpretation they had put upon the word *property* was, that it implied ſomething corporeal, tangible, and material. He begged leave to differ from this opinion, and to point out how common it was for terms to be miſapplied as to their import. The word *property* had, by the ableſt writers, been called *jus utendi, fruendi, diſponendi*; it

was therefore evident, that any idea, although it was incorporeal in itſelf, yet if it promiſed future profit to the inventor of it, was a property. The ſubject-matter might be immaterial, and yet liable to be appropriated. Property changed its nature with its place. In England, portions of land were private property: among the Arabs and Tartars no ſuch idea prevailed; they looked upon cattle and chattels as the only private property. Among the Americans, in certain diſtricts, land was conſidered as property; but not as the property of individuals: as the inhabitants lived upon the gains of hunting, a circumference of land, ſufficient for them to hunt on, was conſidered as the general property of one tribe or nation. The lawyers mode of deſcribing property was exceedingly trite and familiar: they generally divided it into corporeal and incorporeal; and in the preſent caſe it had been ſaid to commence by occupation, and to continue by poſſeſſion. This was a narrow ſcale of argument. In the courts of law it was univerſally admitted, that matters incorporeal were nevertheleſs matters of property: and the lawyers diviſion of it proved, that matters not in occupancy or poſſeſſion, were yet of value, and could be ſold or given over; as in the caſes of manors and advowſons, remainders and reverſions. They could be ſold by aſſignment, and the mode of ſale was by title. Poſſeſſion was uſually deſcribed as originating from two things; livery, and grant. Under the latter title, in ſome degree, ſtood literary property. But it was not to be conſidered as originating from crown-grants: for, excepting the prerogative-copies, the crown had no right; and in the firſt of theſe (the Bible) no farther right, than in that particular tranſlation publiſhed in the reign of K. James.

It had been contended, That the maker of an orrery was in the ſame predicament as an author, when he publiſhed. Such alluſion, Mr Wedderburne ſaid, came not to the point. The firſt ſheet of an edition, as ſoon as it was printed, in a manner loaded an author with the expences of a whole edition; and if that edition was 5000 in number, the author was not repaid for his labour and his hazard, till the laſt of the 5000 was ſold. The maker of an orrery was at no other trouble and charge, than the time, ingenuity, and expence, ſpent in making one orrery; and when he had ſold that one, he was amply paid. Orrery-making was an invention, aad the inventor reaped the profit accruing from it. Writing a book was an invention, and ſome profit muſt accrue after publication: who ſhould reap the benefit of it? Authors, he contended, both from principles of natural juſtice, and the intereſt of ſociety, had the beſt right to the profits accruing from a publication of their own ideas; and as it had been admitted on all hands, that an author had an intereſt or property in his own manuſcript previous to publication; he deſired to know, who could have a greater claim to it afterwards. It was an author's dominion over his ideas that gave him his property in his manuſcript originally, and nothing but a tranſfer of that dominion or right of diſpoſal could take it away. It was abſurd to imagine, that either a ſale, a loan, or a gift of a book, carried with it an implied right of multiplying copies: ſo much paper and print were ſold, lent, or given, and an unlimited peruſal was warranted from ſuch ſale, loan, or gift; but it could not be conceived, that when five ſhillings were paid for a book, the ſeller meant to tranſfer a right of gaining one hundred pounds: every man muſt feel to the contrary, and confeſs the abſurdity of ſuch an argument.

The ſolicitor-general produced a copy of the original grant of K. James for printing ſome poems of his writing; which, excepting ſome royal ſtyle in the beginning, he obſerved ran in the ordinary phraſe of an author's aſſignment of copy-right to a bookſeller: nay, indeed, it was more ample; for it not only tranſferred the right of the matter then publiſhed, but alſo tranſferred a right to every thing he ſhould hereafter be pleaſed to write.

Among the matters adverted to in this ſpeech, Ames's Typographical Hiſtory was particularly noticed. The application of the printers in Prynne's time, to ſuppreſs and call in the patents for printing and publiſhing the Bible, was mentioned: the applicants terming thoſe patents a ſanction for monopolizers; the matter was heard by counſel. Prynne pleaded on one ſide of the queſtion, and his anſwer turned on nine points, in one of which that celebrated lawyer declared, that the moſt ſerious and ſolid objection againſt the printers, was the inherent common-law right for an author to multiply

tiply copies. This the ſolicitor-general ſaid was one ſtrong proof, that in the worſt of times the *jus naturale* reſpecting literary property was not forgot.

Licences in general, he obſerved, proved not that common-law right did not inherently exiſt, but were the univerſal fetters of the preſs at the times in which authors were obliged to obtain them. That the court of chancery conſidered that ſuch a right did exiſt, was evident from the ſeveral injunctions that court had granted ſince the enacting of the ſtatute, which did not govern thoſe injunctions, as it did not particularly ſpecify how the court of chancery were to act. He inſtanced the caſes of Pope and Curl, Gwynne and Dr Shebbeare, and two law-books, as proofs of what he aſſerted. He mentioned alſo the caſe of Dodſley verſus Kinnerſly, in 1761, before Sir Thomas Clark, Maſter of the Rolls. The former prayed an injunction againſt the latter, for abſtracting part of Dr Johnſon's Raſſelas, and publiſhing ſuch abſtract in a magazine. The ſolicitor-general, after noticing the great ability of Sir Thomas, declared, that his opinion was the ſame reſpecting literary property as that he had maintained.

Mr Dunning obſerved, That one argument uſed for the appellants was, That it would benefit authors, if no excluſive right of multiplying copies exiſted. This was a very ſtrange aſſertion, and it was very extraordinary that authors in general ſhould think otherwiſe. It was cuſtomary for bookſellers, as buyers, to buy as cheap as they could; and it was alſo cuſtomary for authors to ſell as dear as they could: this could not be the caſe, if, the moment a book was publiſhed, every man had a right to print it. Authors formerly, when there were few readers, might get but ſmall prices for their labour; that however had not of late years been the caſe. Hume's Hiſtory of England, and Dr Robertſon's Hiſtory of Scotland, had been amply paid for; and Hawkeſworth's Voyages ſtill more largely: how was this difference to be accounted for? Not from any uncommon generoſity in the bookſellers; not from any ſuperiority in point of merit in the books; but from the idea of a common-law right prevailing, and from that idea's being eſtabliſhed by the determination of the court of king's-bench in the caſe of Millar and Taylor; for it was idle to contend, that the ſubject of the preſent appeal was not exactly on the ſame grounds. The appellants wanted to ſanctify the importation of Scotch books into England, in the ſame manner as the importation of Scotch cattle. The book on which the preſent cauſe was grounded, was written, indeed, by a Scotchman; but it was written in Engliſh, and originally printed in England. The appellants had invaded the legal purchaſer, by printing in Scotland, and offering the copies to ſale in London; it was hoped, therefore, that their Lordſhips would teach them, that literary property was ſacred, by affirming the decree.

Feb. 9. The attorney-general, in reply, ſaid, Property, in his idea, was of a double nature; either original, or derivable: it muſt be in itſelf corporeal, or derive its name from ſomething of a corporeal nature; thence its relation to occupancy and poſſeſſion: but he meant not to ſay that poſſeſſion muſt originate from a grant of the King, when he declared, that the law deſcribed it as ariſing either from livery or grant. Literary property could not be of either of theſe origins, and was to all intents and purpoſes indefinable. With regard to the obſervation, That the inventor of an orrery was not at all to be compared to the inventor of a book, becauſe he was paid for his labour when he had ſold one orrery; there was not a more fallacious doctrine in the power of words. The maker of a time-piece, or an orrery, ſtood in the ſame, if not in a worſe predicament, than an author. The bare invention of their machines, might coſt them twenty of the moſt laborious years in their whole life; and the expence to the firſt inventors, in procuring, preparing, and portioning the metals, and other component parts of their machines, was too infinite to bear even for a moment the ſuppoſition that the ſale of the firſt orrery recompenſed it. And yet no man would deny admitting, that after an orrery was ſold, every mechaniſt had a right to make another after its model. Authors had certainly an intereſt in their manuſcripts before publication, and they had a right to every advantage which could poſſibly accrue from firſt communicating their manuſcript to the world; but having once done ſo, they loſt all further claim. Publication was in his mind ſale; and after a man had ſold his right, it was abſurd to contend that he had

had any claim upon the purchaſer. The caſe recorded by Prynne fully confirmed him in the opinion he entertained. The printers were then urging an improper ſuit. The ſole printing of Bibles had been granted by the crown, and ſuch a uſe of the prerogative was very defenſible and very proper. As to the doctrine, That any man had a right to publiſh tranſlations, and that therefore other verſions of the Bible might be publiſhed, it was exceedingly abſurd, ſuppoſing that a common law right did exiſt. Lord Bacon, and ſeveral of the old learned writers, always gave their thoughts in Latin; ſurely if they had a right to their own ideas, it would have been very hard for a tranſlator to have publiſhed an Engliſh edition as ſoon as poſſible after their appearance in Latin; and more eſpecially ſo, if the caſe could have happened at this day, as the Engliſh edition would have had the advantage greatly in point of profitable ſale. He concluded with ſumming up the ſtrongeſt parts of his argument; and hoping that their Lordſhips would conſider they were about to determine the law on a moſt important point, and wiſhing that they might pronounce in favour of the appellants.

On a motion then made by the Lord Chancellor, the following queſtions were put to the judges.

1. Whether the author of any literary compoſition had, at common law, the ſole right of printing and publiſhing the ſame for ſale, and could bring an action againſt any perſon for publiſhing the ſame without his conſent?

2. If the author had ſuch right originally, did the law take it away upon his printing and publiſhing the ſaid book or literary compoſition; or might any perſon reprint and publiſh the ſaid literary compoſition for his own benefit, againſt the will of the author?

3. If ſuch action would have lain at common law, is the ſame taken away by the ſtatute of Q. Anne? Or is an author precluded by ſuch ſtatute from any remedy, except on the foundation of the ſaid ſtatute?

After the above queſtions had been twice read, and then put to the learned judges, Lord Camden moved, that the two following might alſo be put, viz.

1. Whether the author of any literary compoſition, or his aſſigns, had the ſole right of printing and publiſhing the ſame in perpetuity by the common law?

2. Whether this right is any wiſe impeached, reſtrained, or taken away, by the act 8° Ann.?

The judges required till Teuſday to deliberate.

[*To be continued.*]

The progreſſive increaſe of the poſt-office revenue.

IN 1644, Mr Edmund Prideaux, who was inland poſtmaſter, was ſuppoſed to collect about 5000l. per annum.—In 1654, the parliament farmed the poſts to Mr Manley, at 10,000l.—In 1664, Daniel O'Neal, Eſq; farmed them at 21,500l.—In 1674, they were let out at 43,000l.—In 1685, the poſts were eſtimated at 65,000l.—In 1688, the poſts amount was 76,518l.—In 1697, it was, according to Dr Davenant, 90,505l.—In 1710, they were 111,461l.—In 1715, the groſs amount of the inland office, came to 145,227l.—In 1744, the ſame amounted to 198,226l.; but the total groſs amount of both inland and foreign offices, which can alone demonſtrate the extent of our correſpondence, was that year 235,492l.—And in 1764, the groſs amount was 432,048l.

A cure for the cattle-diſtemper.

SIeur Roſing, Maſter of OEconomy to his Pruſſian Majeſty in Eaſt Vrieſland, has juſt made public, That he found out, by phyſical principles, and great experience, that the only infallible remedy to prevent an epidemical diſtemper among the cattle, is, to drive them twice every day into a river; and thoſe farmers who are not near a river, ſhould throw over their cattle twice every day a great quantity of water. He has likewiſe made an experiment on cattle which have been infected, and very near death; that by throwing over them a great quantity of water till they began to ſhiver, they have been recovered.

BON MOT.

WHen the late Earl of Cheſterfield was extremely ill, a very handſome lady was talking with him, and ſhe ſuddenly exclaimed, "I am as cold as death!"—"If ſo, (he anſwered), I ſhall have no objection to his embraces."

Proceedings

AMERICA.

LOrd North acquainted the Commons, March 4. that the King had ſignified a deſire for the papers reſpecting the late unhappy diſturbances at Boſton, and other parts of America, to be laid before parliament; and that he ſhould preſent them to that Houſe on the Monday after, and at the ſame time move for an addreſs to his Majeſty. [47. 100.]

Accordingly, March 7. the Earl of Dartmouth preſented thoſe papers to the Lords: by whom they were ordered to be taken into conſideration on the Thurſday ſe'ennight after, and the Lords to be ſummoned; and an addreſs to the King was moved for and agreed to.

The ſame day, Lord North, in the Houſe of Commons, ſaid, he had a meſſage from the King to preſent to the Houſe, and deſired leave to bring it up. The members were all deſired to be uncovered; and the meſſage was read, viz.

"His Majeſty, upon information of the unwarrantable practices which have been lately concerted and carried on in North America, and particularly of the violent and outrageous proceedings at the town and port of Boſton, in the province of Maſſachuſets bay, with a view to obſtructing the commerce of this kingdom, and upon grounds and pretences immediately ſubverſive of the conſtitution thereof, has thought fit to lay the whole matter before his two Houſes of Parliament; fully confiding, as well in their zeal for the maintenance of his Majeſty's authority, as in their attachment to the common intereſt and welfare of all his dominions, that they will not only enable his Majeſty effectually to take ſuch meaſures as may be moſt likely to put an immediate ſtop to the preſent diſorder, but will alſo take into their moſt ſerious conſideration what further regulations and permanent proviſions may be neceſſary to be eſtabliſhed for better ſecuring the execution of the laws, and the juſt dependence of the colonies upon the crown and parliament of Great Britain."

Mr Rice moved, that an addreſs be preſented to his Majeſty, for his great goodneſs in ordering this meſſage and the American papers to be laid before that Houſe; and to aſſure his Majeſty, that his faithful Commons would, without delay, exert every means in their power to ſee the laws duly executed in America, &c. He prefaced his motion with a long account of the riſe and progreſs of the American rebellious proceedings, and was much for uſing ſpirited meaſures to bring them to a compliance. The motion was ſeconded by Lord Clare.

Col. Jennings moved, for *every means* to ſubſtitute *proper means*.

Mr Dowdeſwell, Meſſ. E. and W. Burke, and Col. Barré, ſpoke in favour of the Americans, and againſt the meaſures that had been uſed; and Mr Ellis for the motion. The Solicitor-General ſaid, it was wrong to recriminate on perſons that had done wrong heretofore; adding, that the only way to ſettle this buſineſs would be, all to go about it unanimouſly. Lord G. Germaine ſaid, our repealing the ſtamp-act had made the Americans think we had no right to tax them, and in a great meaſure was the cauſe of our preſent miſfortunes. Gen. Conway ſaid, had the ſtamp-act not been repealed, we ſhould entirely have loſt America; adding, we muſt now come to a reſolution either to tax or not to tax America; in his opinion we had no right to tax them.

The queſtion concerning the addreſs was put, and carried.

On Friday, March 11. the American papers, 109 in number, were taken into conſideration by the Commons; conſiſting of copies and extracts of letters from Maj.-Gen. Haldiman, commander in chief of the forces, and from the ſeveral Governors in America; of threats and prophetic warnings to the gentlemen to whom the tea was conſigned; narratives of tranſactions; of copies of letters from the ſeveral conſignees at Boſton to a ringleader of the faction in that town; of votes of the town of Boſton, previous to the arrival of the tea; of a petition of the conſignees to the council of Maſſachuſets, praying, "that they and their property might be taken under their protection," with the abſolute denial of the council (obſerve, of his Majeſty's council) to afford the leaſt ſupport or aſſiſtance, or even a promiſe of it; of notes from the India-houſe; of letters from the Admiral commanding in Boſton harbour, and from Lt-Col. Leſlie, of the 64th regiment, in barracks at Caſtle-William; of a proclamation of the Governor againſt the factious meetings of the inhabitants, which they treated with ineffable contempt; of copies of treaſonable papers print-

ed

ed in America; of a copy of the tranſactions of the Maſſachuſets council, condemning the deſtruction of the tea, and adviſing legal proſecutions againſt the perpetrators, which they well knew no perſon would dare to carry on, and expreſſing their own abhorrence of the unjuſtifiable deed, although they would not take any previous ſtep to prevent it, even when petitioned for that very purpoſe.

The papers written and printed from the other colonies are exactly of the ſame nature. They are the regular official informations of the different Governors tranſmitted to the American ſecretary of ſtate, with copies of all the inflammatory fugitive papers, hand-bills, alarms, reſolves of town-meetings, and minutes of council: in ſhort, the whole budget of abuſe that has been vented againſt parliament and the miniſtry from New England to the Carolinas, was read to themſelves.

As there was no outrage committed but at Boſton, it would be ſuperfluous to relate all the incendiary ſcribbling and printing in the different colonies; it may ſuffice juſt to obſerve, that all the printed bills read were fully larded with the phraſes of "deſperate plans of deſpotiſm," "miniſterial deſigns to ruin their liberties," "ſlavery," "galling fetters," "forging infernal chains," "Popery," "deſpotic rule," &c.

The Maſſachuſets council appeared in a very Jeſuitical point of view: They would not give the leaſt aſſiſtance or protection to the conſignees, or to the Eaſt-India company's property; they would not even take into conſideration the landing and ſecuring the teas. By their replies it would ſeem, that they rather rejoiced in the oppoſition formed by the faction; and if they did not openly range themſelves on its ſide, at leaſt by their neutrality, and the purport of their anſwer, it was ſufficiently evident, that they did not even wiſh to interpoſe as mediators. The conſignees "prayed to reſign themſelves and the property intruſted to their care, to the council, not only as their guardians and protectors, but alſo thoſe of the people at large." But theſe worthy gentlemen thought proper to have nothing to do with them; and rather hinted that the tea-ſcheme was calculated to diſturb the peace of the town and province.

The letters from the different Governors contain a minute and regular detail of the ſtate of their different provinces, but particularly of the capitals of each, from the firſt intelligence of the tea's being ſhipped at home, to its arrival in America, and return back, or deſtruction.

Above all the reſt of the advices, Gov. Hutchinſon's letters are the moſt preciſe, exact, and circumſtantial. He endeavoured both to ſoothe and intimidate the faction. It was he himſelf who adviſed the conſignees to apply to the council for their perſonal ſafety, and ſecurity of their property; for his two eldeſt ſons were two of the conſignees. He alſo, during the height of their turbulent, unlawful, and ſeditious aſſemblings, before the deſtruction of the tea, ſent the ſheriff to the town-meeting at Boſton, commanding them to break up and depart. When the ſheriff, Mr Greenleaſe, arrived in the hall, and intimated, "that he had a paper to read from the Governor," the faction put it to vote, "Whether he ſhould be permitted to read it or not?" After ſome debate, permiſſion was granted; and the ſheriff accordingly pronounced the Governor's orders for them to diſperſe. The inſtant he had finiſhed, the faction ſaluted him with an univerſal hiſs, which continued, and accompanied him out of doors. The proclamation was afterwards publiſhed in the gazette; from whence it was copied into the other papers, and criticiſed and commented upon with every mark of contempt and indignity. Before the arrival of the tea, the Governor, who is very inſinuating, appeared to have taken every meaſure that prudence could ſuggeſt, both for the ſafety of the India property, and the ſafety of the conſignees. The principal leader of the faction was applied to; he commanded the Governor's company of cadets: but it was not to be expected that the leader of the faction would muſter the cadets to oppoſe his own party, and his own plots. The applications of courſe had no effect. Perhaps acquieſcence was not expected, though it might be deemed proper, in point of duty, to make the requeſt, or rather to iſſue the order.

By Gov. Hutchinſon's letters, the people of the town, or the faction, obliged Mr Rotch, the owner of Capt. Hall's veſſel, to demand a clearance outwards from the cuſtomhouſe, in order that the tea might be carried back. Mr Rotch reſiſted a long time, but his perſon being threatened, nay his life, at laſt made him comply. The cuſtomhouſe refuſed to

to grant him an illegal clearance. The Governor was then applied to for a paſs, without which the veſſel would have been ſtopped at Caſtle-William; but this was alſo refuſed to Mr Rotch, becauſe it was totally inconſiſtent with the duty of a Governor to grant a paſs to a veſſel that had not been regularly cleared at the cuſtomhouſe. This negotiation, or inſurrection, or rebellion, came to a criſis about the middle of December. The faction, ſitting in town-meeting, heard the account of the refuſals above mentioned from Mr Rotch. It appears they expected ſuch anſwers, and were prepared for the event; for, immediately after Mr Rotch's account, ſignals were given both from within and without the meeting. A number of men, diſguiſed, boarded the veſſels containing the tea, and, as is ſaid, threw the whole into the ſea, though ſome unbelievers may think that not a little of it might be purloined, and that Madam Thetis had not ſo ſtrong a diſh of tea that evening as ſome people may imagine.

This is a recollected ſummary of what was heard with regard to the facts, as they happened in regular progreſſion. The opinions of the writers, as far as may be judged from what is expreſſed in their letters, now come to be mentioned.

Upon the face of the whole tranſaction, in every colony where the tea arrived, it is evident, that the Governors acted with the utmoſt prudence and circumſpection. It happened that the ſhip bound for Boſton was the firſt that reached her deſtined port: Every civil precaution ſeems to have been tried to preſerve the peace of the town; his Majeſty's council, the cadets, and the militia, were all applied to without effect; the ſheriff read a proclamation to the factious, commanding them to diſſolve their aſſembly; and this proclamation was immediately afterwards inſerted in the gazette: both the ſheriff and the proclamation were treated with inſult. The people of Boſton ſeem, on this occaſion, to have been fairly tried; the Governor ſeems to have taken, from the beginning, a determination not to call either on the naval or military force, then in the bay and at Caſtle-Iſland. The loyal and peaceable people of that town were altogether left to the exerciſe of their own judgement; and they have given all the world a notable proof of it, by wantonly deſtroying a valuable property, when all they had to do was to keep firm in their reſolution, not to buy or drink any of it.

The other Governors, after the accompliſhment of the Boſton exploit, wiſely agreed to let the tea be carried back, as what had already happened was ſufficient to rouſe the Engliſh nation and parliament; and by this prudent conduct they put it out of the power of the people under their government to act in the ſame fooliſh and frantic manner as the people of Boſton.

As to Gov. Hutchinſon, if it had not been for his reſolution not to irritate the people, by calling in the aſſiſtance of the navy, the tea would have been ſaved; but as the Boſtonians always made great complaints of the interpoſition of the navy and army, and not only declared, but ſwore, they had always begun every diſturbance, every rational man will be glad to find, that their Governor gave them no ſuch plea on this occaſion. They were left to their own will and pleaſure, and behaved ten times worſe than ever.

It appears by all the letters from America, that nothing can be done there by officers, civil, military, or naval, to effectuate the re-eſtabliſhment of peace in that country; they can make no movement, even the moſt trifling, but what is exclaimed againſt by the licentious Boſtonians as an infringement of their liberties. They have therefore remained, for theſe three laſt years, in total inactivity, ſubmitting to the inſults of faction with the moſt patient endurance, in hopes that parliament, by an alteration and regulation of their abſurd charters, will at laſt relieve them, and all the reſt of his Majeſty's good ſubjects in the colonies.

Gov. Hutchinſon's ſettled opinion is, that no effort in the colonies by any body of men, civil or military, can remove the evils that now reign amongſt them. It is parliament, and parliament only, which can reſtore that turbulent country to peace, and bring order out of confuſion. And it is ſaid, that his letters for theſe ſix years paſt have uniformly inculcated and held forth the ſame doctrine.

On a motion made by Lord North, March 14. his Majeſty's meſſage was read. His Lordſhip obſerved, that it contained two propoſitions; one, to enable his Majeſty to put an end to the preſent diſturbances in America; the o-

ther, to ſecure the juſt dependence of the colonies on the crown of G. Britain. He obſerved, that the preſent diſorders entirely aroſe in, and were occaſioned by the inhabitants of Boſton in Maſſachuſets bay; and hoped that the method he ſhould propoſe to the Houſe would be adopted. He ſaid, he would confine himſelf particularly to thoſe diſturbances which had happened ſince the 1ſt of December: That it was impoſſible for our commerce to be ſafe whilſt it continued in the harbour of Boſton, and it was highly neceſſary that ſome port or other ſhould be found for the landing of our merchandiſe, where our laws would give full protection: he therefore hoped, that the removal of the cuſtomhouſe-officers from the town of Boſton would be a neceſſary ſtep; and that the conſequence of that would produce the other propoſition, which would be, the preventing any ſhipping from endeavouring to land their wares and merchandiſe there, by blocking up the uſe of that harbour. He ſaid, he ſhould move for leave to bring in a bill this day for thoſe two purpoſes. He obſerved, that this was the third time that the officers of the cuſtoms had been prevented from doing their duty in the harbour of Boſton; he thought the inhabitants of the town of Boſton deſerved puniſhment, and required anim dverſion. Perhaps it may be objected, he ſaid, that ſome few individuals may ſuffer on this account who ought not; but where the authority of a town has been as it were aſleep and inactive, it was no new thing for the whole town to be fined for ſuch neglect. He inſtanced the city of London in K. Charles II.'s time, when Dr Lamb was killed by perſons unknown, the city was fined; in the caſe of Edinburgh in Capt. Porteous's affair, a fine was ſet upon the whole; and alſo at Glaſgow, where the houſe of Mr Campbell of Shawfield was pulled down, part of the revenue of that town was ſequeſtered to make good the damage. He obſerved, that Boſton did not ſtand in ſo fair a light as any of the three before-mentioned places; for that that town had been upwards of ſeven years in riot and confuſion; aſſociations were held againſt receiving Britiſh merchandiſe ſo long ago. He obſerved, that all the diſturbances that had been in the provinces or colonies of America, had originated in the town of Boſton, and that proceedings were openly carried on from the beginning of laſt November to the 17th of December, denying the force or efficacy of the laws of this country to be exerted in the harbour of Boſton; that, during the above time, there was not the leaſt interpoſition offered by the inhabitants of the town; that, at their public meetings, they had regularly given orders for nightly watches to be appointed, conſiſting of a large body of perſons who were to prevent the landing of the tea.—As to the merchandiſe of G. Britain, this ſurely was highly criminal, and in direct oppoſition to the execution of an act of parliament; and as the tea belonging to the Eaſt-India company had remained twenty days in the harbour without a clearance, they were afraid leſt it ſhould be ſeized by the cuſtomhouſe-officers, and by that means landed; they therefore deſtroyed it on the twentieth day: That this appeared to be a moſt violent and outrageous proceeding, done to our fellow-ſubjects, by a ſet of people who could not, in any ſhape, claim more than the natural privilege of trading with their fellow-ſubjects: That Boſton had been the ringleader in all riots, and had at all times ſhown a deſire of ſeeing the execution of the laws of G. Britain attempted in vain in the colony of Maſſachuſets bay: That the act of the mob in deſtroying the tea, and other proceedings, belonged to the act of the public meeting; and that, though other colonies were peaceably and well-inclined towards the trade of this country, and the tea would have been landed at New-York; yet, when the news came from Boſton that the tea was deſtroyed, Gov. Tryon, from the advice of the people, thought that the face of things being changed ſince that account was ſent, it would be more prudent to ſend the tea back to England than to riſk the landing of it. His Lordſhip obſerved, that Boſton alone was to blame for having ſet this example, therefore Boſton ought to be the principal object of our attention for puniſhment.

He propoſed one clauſe in the bill, which, he ſaid, would prevent the crown from reſtoring the re-eſtabliſhment, till full ſatisfaction was made to the Eaſt-India company for the loſs of their tea. He ſaid, he did not propoſe it by way of tax, but by way of retribution to the injured, who are our own ſubjects; and let it go forth into the world, that the parliament

parliament of G. Britain will protect their ſubjects and their property: That the crown, by that clauſe, will not even then be obliged to reſtore the cuſtomhouſe, unleſs his Majeſty is thoroughly convinced, that the laws of this country will be better obſerved in the harbour of Boſton for the future; this reſtitution entirely depended on Boſton alone. He ſhould be happy to have thoſe who had been the promoters of theſe diſturbances in Boſton found out, and that they might be obliged to make good the damage to the India company: but as thoſe perſons are unknown to us, Boſton will, no doubt, endeavour to find out ſuch perſons, or paſs acts of their own aſſembly, to levy ſuch money in the moſt equitable and juſt manner. We have only to require it for the India company. He ſaid, that this bill was not all he meant to propoſe; that other parts, of more nice diſquiſition, will remain for the future conſideration of parliament. There, perhaps, might be other methods propoſed that were better than this; but that he had as yet found out none that deſerved a preference. Some perſons had propoſed that the fiſhery might be taken away; but this, he obſerved, would affect the whole colony at large. Others propoſed the Streights trade; but this would be liable to the ſame objection. That no method of puniſhment ever came from him but with great regret: he therefore hoped for that unanimity in a vote of this ſort, which ſhould give a ſtrength to the meaſure. His Lordſhip obſerved, that at Boſton we are conſidered as two independent ſtates; but we were no more to diſpute between *legiſlation* and *taxation*; we were now to conſider only, whether or not we have any authority there; that it is very clear we have none, if we ſuffer the property of our ſubjects to be deſtroyed. He hoped that all would agree with him, both peers, members, and merchants, to proceed unanimouſly to animadvert upon ſuch parts of America as deny the authority of this country. We muſt (he ſaid) *puniſh*, *controul*, or *yield* to them. He did not wiſh to moleſt without an offence given; he therefore propoſed this meaſure to day; and obſerved, if ſuch conduct was followed, it would tend to cement that country to this, being as important to the one as to the other; he therefore moved, "That leave be given to bring in a bill for the immediate removal of the cuſtomhouſe-officers, concerned in the collection and management of his Majeſty's duties and cuſtoms, from the town of Boſton, in the province of Maſſachuſets bay, in North America, and to diſcontinue the landing and diſcharging, lading and ſhipping of goods, wares, and merchandiſes, at the ſaid town of Boſton, and within the harbour thereof." The motion was ſupported by Mr R. Fuller, Mr Cavendiſh, Capt. Phipps, Mr C. Fox, Col. Barré, Gov. Pownal, and Mr Calvert; and it was oppoſed by Col. Jennings, Mr Dempſter, Mr Sawbridge, Mr Byng, Mr Dowdeſwell, and Lord G. Cavendiſh: but it was at length agreed to without a diviſion, and a bill ordered to be brought in; to be prepared by Lord North, Mr Onſlow, Mr Charles Townſhend, the Attorney and Solicitor Generals, Mr Rice, Mr Cooper, and Mr Robinſon.

Lord North preſented the bill on the 18th: it was read a firſt time, and ordered to be read a ſecond time on the Monday following. A motion was made for printing the bill; but, on the queſtion put, it paſſed in the negative. — It was read a ſecond time on the 21ſt. Some oppoſition was made; but a motion made for committing it, carried without a diviſion.

The Commons, March 23. went into a committee on the bill, Sir Charles Whitworth in the chair.

Mr Fuller ſaid, his wiſh was, to make an alteration in the bill, by exacting a fine previous to blockading the port. He agreed, that the port of Boſton was of infinite conſequence and the greateſt utility imaginable to G. Britain; that the bill under conſideration was without a precedent, as the inſtances of Edinburgh and Glaſgow which had been adduced, were not by any means caſes in point; that blocking up the port was a puniſhment infinitely too ſevere for the firſt offence; that the Boſtonians, upon the firſt reſiſtance, will refuſe to remit the money they owe you; that nothing but confederacies would ſpring up among them; that he was ſtrongly of opinion, that this bill could not be carried into execution without a military force; that if a ſmall number of men were ſent over, the Boſton militia would immediately cut them to pieces; that if you ſend over a larger number, 6 or 7000, the Americans will debauch them; and by theſe means we ſhould only hurt ourſelves. I

would begin (ſays he) by an amercement; nor would I with this bill to take place, until they had refuſed the payment of it: I apprehend that about 15,000l. would make amends to the India company, and in ſome meaſure be a relief to the cuſtomhouſe-officer who has been tarred and feathered; and where damages are done by unknown perſons, the community ſhould be made to pay; he therefore wiſhed that the Houſe would adopt the amendment he had propoſed.

Mr Herbert oppoſed the meaſure which Mr Fuller propoſed; ſaid, the propoſition would by no means relieve us, but throw us into greater difficulties. He ſaid, the Boſtonians would certainly reſiſt the payment of the fine; that we muſt then have recourſe to this method; the meaſure propoſed was ſtill more likely to be reſiſted than the bill, becauſe the fine would be laid on all America; this would induce others to join in the oppoſition, who before were not concerned in it: he ſaid, the Americans were a ſtrange ſet of people, and that it was in vain to expect any degree of reaſoning from them; that inſtead of making their claim by argument, they always choſe to decide the matter by tarring and feathering; that the method now propoſed in the bill would become more a puniſhment by their refuſal, than by their compliance; that the Americans alone were the perſons by whoſe behaviour the lenity or ſeverity of the meaſure was to be proved; he therefore ſhould agree to the bill, in preference to the amendment propoſed.

Lord North ſaid, however great his obligations were to the candour and public ſpirit of the Hon. Gentleman who made the motion, yet he differed much from him in the amendment propoſed. His Lordſhip obſerved, that though the Hon Gentleman had ſaid it was the firſt offence, yet upon recollection he was very ſure he would not be of that opinion, as the people at Boſton had begun many years ago to endeavour to throw off all obedience to this country; that indeed this was the firſt time parliament had proceeded to puniſh them. He added, "I am by no means an enemy to lenient meaſures, but I find that reſolutions of cenſure and warning will avail nothing; we muſt therefore proceed to ſome immediate remedy; now is our time to ſtand out,—to defy them; to proceed with firmneſs and without fear;" that they would never reform until we take a meaſure of this kind. Let this bill produce a conviction to all America that we are now in earneſt, and that we will proceed with firmneſs and vigour; that conviction would be loſt if they ſee us heſitating and doubting; that it would be enough to ſhew, that Great Britain is in earneſt. The merchandiſe now will be landed at Marble-head in the province of Salem; which is putting Boſton about ſeventeen miles from the ſea with reſpect to foreign trade. This reſtriction will be continued as long as they perſiſt in their preſent proceedings: it will operate ſeverely or mildly againſt them, according to their behaviour: if they are obſtinate, the meaſure will be ſevere; if not, mild. He believed that Boſton would not immediately ſubmit to a fine, nor to the intention of the preſent bill, unleſs it came attended with a mark of reſolution and firmneſs that we mean to puniſh them, and aſſert our right. It is impoſſible to ſuppoſe but ſome of our own people may in ſome degree ſuffer a little; but we muſt compare thoſe temporary inconveniencies with the loſs of that country, and its due obedience to us: they bear no compariſon, and the preference muſt certainly be given to the latter, and attended to. The Hon. Gentleman tells us, "that the Americans will not pay their debts due to this country, unleſs we comply with their diſpoſition." I believe (ſays his Lordſhip) things will remain much in the ſame ſtate as they did upon a like occaſion: they threatened us with the ſame thing if we did not repeal the ſtamp-act; we repealed that act, and they did not pay their debts. If this threat is yielded to, we may as well take no remedy at all; their threats will hold equally good to the fine propoſed by the Hon. Gentleman, as to the operation of this bill. I hope that we every one feel that it is the common cauſe of us all, and ſuch an unanimity will go half-way to their obedience to this bill. The Hon. Gentleman tells us, "that the act will be a piece of waſte paper, and that an army will be required to put it in execution." The good of this act is, that four or five frigates will do the buſineſs without any military force; but if it is neceſſary, I ſhould not heſitate a moment to enforce a due obedience to the laws of this country. The ſituation of the

the troops in that country has been ſuch, that no magiſtrate or civil officer of the peace has been willing to call forth their ſtrength on proper occaſions; it will become us to find out ſome method whereby the military force may act with effect, and without bloodſhed, in endeavouring to ſupport and maintain the authority of G. Britain: but I hope that this act will not, in any ſhape, require military force to put it in execution. The reſt of the colonies will not take fire at the proper punithment inflicted on thoſe who have diſobeyed your authority; we ſhall then be nearly in a ſituation, that all lenient meaſures will be at an end, if they do: but if we exert ourſelves now with firmneſs and intrepidity, it is the more likely they will ſubmit to our authority. If the conſequences of their not obeying this act are likely to produce rebellion, that conſequence belongs to them, and not to us; it is not what we have brought on, but what they alone have occaſioned; we are only anſwerable that our meaſures are juſt and equitable. Let us continue to proceed with firmneſs, juſtice, and reſolution; which, if purſued, will certainly produce that due obedience and reſpect to the laws of this country, and the ſecurity of the trade of its people, which I ſo ardently wiſh for.

Mr Montague (ſecond ſon of Lord Sandwich) expatiated much on the load of debt which this country had incurred on obtaining America in Germany; that we had ſpilt the deareſt and beſt blood we had in the attainment of it; that it had been the reſult and deliberation of our councils to obtain the poſſeſſion of it by any means, and at any riſk whatſoever; that it had been the darling object of this country, ever ſince we poſſeſſed it, to cheriſh and nouriſh it as the main prop and ſupport of the conſtitutional body of G. Britain; that after all theſe ſtruggles for the poſſeſſion of ſuch a jewel in the crown of this country, it would be madneſs, it would be folly indeed to the laſt extremity, were we not to purſue the moſt determined conduct to preſerve it hereafter; the giving up that gem which we have ſo carefully and ſo diligently poliſhed, or neglecting to enforce that due obedience, and cultivate that friendſhip, would be as it were an actual ſurrender of all our right and claim. He concluded with giving his hearty approbation to the bill now before the Houſe, as it bore on its face thoſe diſtinguiſhing lines which ought to be the true characteriſtic of every Britiſh miniſter, moderation and courage.

Mr Byng ſaid, that the bill would effectually put an end to all importation of Britiſh goods at Boſton, and thus, beſides materially injuring our exports, it would give riſe to that very aſſociation amongſt the Americans which we have hitherto ſo cautiouſly endeavoured to annihilate and deſtroy. This was not to puniſh the Boſtonians, but the Engliſh merchants; men who would, in a body, unite in petitioning the Houſe, were they not confident that their petition would be diſregarded. Mr Byng concluded, by declaring himſelf againſt both the propoſed amendment and the bill itſelf; but, if an act of the kind muſt paſs, he ſhould propoſe, that, after the clauſe prohibiting the Boſtonians from importing goods, the words, "except of Britiſh merchants," be inſerted.

Mr Dempſter ſaid, that he knew of no act to which he gave his hearty conſent in a more willing manner, than to that which was for the repeal of the ſtamp-act. He ſaid, our diſorders had ariſen from our attempts to tax the Americans by that odious ſtamp-act; and he was very ſure the deſtruction of America would be certain, if we ſhould offer to tax it. Have we not given an extent of power to his Majeſty, to prevent the port of Boſton from ever being reinſtated, if the King ſhould think proper? What limit or line is drawn, to define when it will be proper, right, and juſt, that the port of Boſton ſhould be reinſtated? He ſaid, the dignity of parliament was by no means concerned in the diſputes with our colonies; that we ſhould treat them as our children, nouriſh and protect them.

Lord North aroſe to explain himſelf. When he mentioned, the threats of Boſton were not to be depended upon at the repeal of the ſtamp-act, (he ſaid), he did not mean to rip up wantonly, and without occaſion, the mention of the repealing the ſtamp-act; that he begged to be underſtood in that light, only to ſhew that the threats of Boſton, at that time, in not paying their debts unleſs the ſtamp-act was repealed, were not always to be depended upon.

The debate ended, and the blanks were filled up in the bill.

The

The bill was then read, and when the queſtion was put on the clauſe which "vests the power in the crown to reſtore the port,"—

Mr C. Fox ſaid, he ſhould give his negative, as it was truſting the crown with that power which parliament were afraid to truſt themſelves with, and if he did not ſucceed in his negative to this clauſe, he ſhould object to the clauſe following, which ſeemed to militate againſt the meaſure adopted in this, as a reſtraint was there laid upon the crown, until the India company were made ſatisfaction. This bill, he ſaid, was calculated for three purpoſes; the firſt for ſecuring the trade, the ſecond for puniſhing the Boſtonians, and the third for ſatisfaction to the Eaſt-India company. He ſaid, the firſt clauſe did not give a true and exact diſtinction by what means, and at what period, the crown was to exerciſe that power veſted in it: he thought that application for relief ſhould come to parliament only; and that the power of ſuch relief ſhould not be lodged in the crown. The quarrel, he ſaid, was with parliament, and parliament was the proper power to end it; not that, ſays he, (in a ſneer), there is any reaſon to diſtruſt his Majeſty's miniſters, that they will not reſtore the port when it ſhall be proper; but I want to hear the reaſon why this clauſe ſhould be ſo left in the judgement of the crown, and the next clauſe ſhould be ſo particularly granted, with ſuch a guard upon his Majeſty, to prevent him from reſtoring the port until the Eaſt-India company ſhall be fully ſatisfied.

Mr Phipps contended, that nothing was ſo proper, as to allow the crown that power which always had been attributed to it, that of mercy; his Majeſty cannot deprive the people of a port without the leave of parliament, but he may certainly give one: as to the power being lodged in the crown, of reſtoring the port upon proper contrition, it is highly proper; and not in parliament, for parliament may not be ſitting at the time when the trade of Boſton ought to be reſtored; that power which has a right to give a port, has alſo a power of appointing quays and wharfs; if the power was not lodged in the crown, quays and wharfs might be made at places totally inconvenient to the cuſtomhouſe-officers, and thereby prevent the collection of his Majeſty's revenues.

Lord North (to explain) ſaid, that the teſt of the Boſtonians will not be the indemnification of the Eaſt-India company alone, it will remain in the breaſt of the King not to reſtore the port until peace and obedience ſhall be obſerved in the port of Boſton. I am ready to admit a clauſe to ſecure thoſe wharfs and quays which are now in uſe, to be the ſame when the port is reſtored. He obſerved, he had been charged with changing his opinion, ſo that the declaration which he had made tended chiefly to the puniſhment of the Boſtonians, and that the bill particularly adhered to the views of making the India company ſatisfaction. He believed the Houſe would do him the juſtice to ſay, that he had declared both thoſe meaſures to be his intention at the firſt ſetting out of the buſineſs, as well as to reſtore the trade to a proper footing; that he hoped he had never deviated from them, notwithſtanding what the Hon. Gentleman (Mr Fox) had charged him with; that he ſhould never be aſhamed, at any time, to give up his opinion upon good grounds; it would be the height of obſtinacy not to do it, when he ſaw any good reaſons to guide his opinion to better judgement.

Mr Van agreed to the flagitiouſneſs of the offence in the Americans, and therefore was of opinion, that the town of Boſton ought to be knocked about their ears, and deſtroyed. *Delenda eſt Carthago.* Says he, I am of opinion you will never meet with that proper obedience to the laws of this country, until you have deſtroyed that neſt of locuſts.

Col. Barré ſaid, he had very little thoughts of troubling the committee upon this clauſe, but for an expreſſion which fell from an Hon. Gentleman under the gallery, *Delenda eſt Carthago:* I ſhould not have roſe, ſays he, had it not been for thoſe words. The bill before you is the firſt vengeful ſtep that you have taken. We ought to go coolly to this buſineſs, and not trouble our heads with who paſſed or who repealed the ſtamp-act, or other taxes. We are to proceed *rebus ſic ſtantibus.* I hate the word *fine*; it is a tax, and as long as I ſit here among you I will oppoſe the taxing of America. This bill, I am afraid, draws in the fatal doctrine of ſubmitting to taxation: it is alſo a doubt, by this bill, whether the port is to be reſtored to its full extent. Keep your hands out of the pockets of the Americans, and they will be obedient ſubjects. I have not a doubt, but

but a very ſmall part of our ſtrength will, at any time, overpower them. I think this bill a moderate one; but I augur that the next propoſition will be a black one. You have not a loom nor an anvil but what is ſtamped with America; it is the main prop of your trade. Parliament may fancy that they have rights in theory, which they can never reduce to practice. America employs all your workmen here; nouriſh and protect it, that they may be ſupported.

The clauſes objected to paſſed in the affirmative without any diviſion but one or two negatives.

On the 25th a motion was made for leave to bring up a petition from William Boland, Eſq; agent from the province of Maſſachuſets-bay, in behalf of the ſaid province. After a ſmart debate, the Houſe divided: for bringing up the petition, 40; againſt it, 170. — This petition was ſigned by moſt of the gentlemen of North America then in London; and the following is a copy of it.

"To the Honourable the COMMONS of Great Britain in parliament aſſembled,

The humble Petition of ſeveral Natives and Inhabitants of North America,

Sheweth,

THAT your petitioners, being natives of his Majeſty's dominions in America, are deeply intereſted in every proceeding of this Hon. Houſe which touches the life, liberties, or property, of any perſon or perſons in the ſaid dominions.

That your petitioners conceive themſelves and their fellow-ſubjects intitled to the rights of natural juſtice, and to the common law of England, as their unalienable birthright: That they apprehend it to be an inviolable rule of natural juſtice, That no man ſhall be condemned unheard; and that, according to law, no perſon or perſons can be judged without being called upon to anſwer, and being permitted to hear the evidence againſt them, and to make their defence.

That it is therefore with the deepeſt ſorrow they underſtand, that this Hon. Houſe is now about to paſs a bill to puniſh, with unexampled rigour, the town of Boſton, for a treſpaſs committed by ſome perſons unknown, upon the property of the Eaſt-India company, without the ſaid town's being appriſed of any accuſation brought againſt them, or having been permitted to hear the evidence, or to make their defence. Your petitioners conceive ſuch proceedings to be directly repugnant to every principle of law and juſtice; and that, under ſuch a precedent, no man or body of men in America could enjoy a moment's ſecurity: for if judgement be immediately to follow an accuſation againſt the people of America, ſupported even by perſons notoriouſly at enmity with them, the accuſed, unacquainted with the charge, and from the nature of their ſituation utterly incapable of anſwering and defending themſelves, every fence againſt falſe accuſation will be pulled down, juſtice will no longer be their ſhield, nor innocence an exemption from puniſhment.

Your petitioners beg leave to repreſent, that law in America miniſters redreſs for any injury ſuſtained there; and they can moſt truly affirm, that it is executed in that country with as much impartiality as in any other part of his Majeſty's dominions. In proof of this, they appeal to an inſtance of great notoriety, in which, under every circumſtance that could exaſperate the people, and diſturb the courſe of juſtice, Capt. Preſton and his ſoldiers had a fair trial, and a favourable verdict [xxxii. 678.]. While the due courſe of law holds out redreſs for any injury ſuſtained in America, they apprehend the interpoſition of parliamentary power to be full of danger, and without any precedent. If the perſons who committed this treſpaſs are known, then the Eaſt-India company have their remedy againſt them at law; if they are unknown, your petitioners cannot comprehend, by what rule of juſtice the town can be puniſhed for a civil injury committed by perſons not known to belong to them.

Your petitioners conceive, that there is not an inſtance, even in the moſt arbitrary times, in which a city was puniſhed by parliamentary authority without being heard, for a civil offence not committed within their juriſdiction, and without redreſs having been ſought at common law. The caſes which they have heard adduced are directly againſt it. That of the King againſt the city of London was for a murder committed within its walls by its citizens in open day. But even then, arbitrary as the times were, the trial was public in a court of common law, the party heard, and the law laid down by the judges was, That it was an offence at the common law, to ſuffer ſuch a crime to be committed in a walled town,

tempore

tempore diurno, and none of the offenders to be known or indicted. The caſe of Edinburgh, in which parliament did interpoſe, was the commiſſion of an atrocious murder within her gates, and aggravated by an overt act of high treaſon, in executing, againſt the expreſs will of the crown, the King's laws [xxv. 370.]. It is obſervable, that theſe cities had by charter the whole executive power within themſelves; ſo that a failure of juſtice neceſſarily enſued from their connivance. In both caſes, however, full time was allowed them to diſcharge their duty, and they were heard in their defence. But neither has time been allowed in this caſe, nor is the accuſed heard, nor is Boſton a walled town, nor was the fact committed within it, nor is the executive power in their hands, as it is in thoſe of London and Edinburgh; on the contrary, the Governor himſelf holds that power, and has been adviſed by his Majeſty's council to carry it into execution. If it has been neglected, he alone is anſwerable: if it has been executed, perhaps at this inſtant, while puniſhment is inflicting here on thoſe who have not been legally tried, the due courſe of law is operating there to the diſcovery and proſecution of the real offenders.

Your petitioners think themſelves bound to declare to this Hon. Houſe, that they apprehend a proceeding of exceſſive rigour and injuſtice will ſink deep in the minds of their countrymen, and tend to alienate their affections from this country.

That the attachment of America cannot ſurvive the juſtice of Great Britain.

That if they ſee a different mode of trial eſtabliſhed for them, and for the people of this country, a mode which violates the ſacred principles of natural juſtice, it may be productive of national diſtruſt, and extinguiſh thoſe filial feelings of reſpect and affection which have hitherto attached them to the parent ſtate.

Urged, therefore, by every motive of affection to both countries, by the moſt earneſt deſire, not only to preſerve their own rights, and thoſe of their countrymen, but to prevent the diſſolution of that love, harmony, and confidence, between the two countries, which was their mutual bleſſing and ſupport,

Your petitioners do moſt earneſtly beſeech this Honourable Houſe not to paſs the ſaid bill."

Then the order of the day for reading the bill a third time was read; which occaſioned a debate of four hours, the arguments near the ſame as in the committee. The oppoſition at laſt gave it up, and the bill was read a third time, paſſed, and ordered to be ſent to the Lords.

The Lords read the bill a firſt time on the 26th, and a ſecond time on the 28th. Mr Boland offered his petition on the 30th, and he was examined. A ſhort debate enſued: ſoon after which the bill was paſſed without a diviſion.

The royal aſſent was given to this and other bills on the 31ſt; -- [P. S.] and the act was inſerted *verbatim* in the London gazette firſt publiſhed after, and repeated in the ſubſequent gazette; introduced thus: "The following act of parliament, paſſed in the preſent ſeſſions, and which takes place on the FIRST of JUNE next, is printed for the information of the merchants of Great Britain and Ireland trading to North America, viz." —— We give an abſtract, viz.

An act to diſcontinue, in ſuch manner and for ſuch time as are therein mentioned, the landing and diſcharging, lading or ſhipping, of goods, wares, and merchandiſe, at the town and within the harbour of Boſton, in the province of Maſſachuſets bay, in North America.

Preamble. Whereas dangerous commotions and inſurrections have been fomented and raiſed in the [ſaid] town of Boſton, in New England, by divers ill-affected perſons, to the ſubverſion of his Majeſty's government, and to the utter deſtruction of the public peace and good order of the ſaid town; in which commotions and inſurrections certain valuable cargoes of teas, being the property of the Eaſt-India company, and on board certain veſſels lying within the bay or harbour of Boſton, were ſeized and deſtroyed: And whereas, in the preſent condition of the ſaid town and harbour, the commerce of his Majeſty's ſubjects cannot be ſafely carried on there, nor the cuſtoms payable to his Majeſty duly collected; and it is therefore expedient, that the officers of his Majeſty's cuſtoms ſhould be forthwith removed from the ſaid town: May it pleaſe your Majeſty, that it may be enacted, &c.

§ 1. From and after June 1. 1774, it ſhall not be lawful for any perſon or perſons to lade, or procure to be laden, from

from any wharf or other place within the ſaid town of Boſton, or upon any part of the ſhore of the bay called *the harbour of Boſton*, between Nahant point, on the eaſtern ſide of the entrance into the ſaid bay, and Alderton point on the weſtern ſide of the ſaid entrance, or upon any iſland or other place within the ſaid bay, into any ſhip or bottom, any goods whatſoever, to be tranſported into any other country or place, or into any other part of the province of Maſſachuſet's-bay; or to diſcharge or lay on land, within the ſaid town, or upon any of the places aforeſaid, out of any ſhip or bottom, any goods whatſoever, to be brought from any other country or place, or any other part of the province of Maſſachuſet's-bay, upon pain of forfeiture of the ſaid goods, and of the ſhip or other bottom into which the ſame ſhall be put, or out of which the ſame ſhall be taken, and of the guns, ammunition, tackle, furniture, and ſtores, in or belonging to the ſame: And if any ſuch goods ſhall, within the ſaid town, or in any the places aforeſaid, be taken in from the ſhore, into any barge, boat, &c. to be carried on board any veſſel outward bound to any other country, or other part of the province of Maſſachuſet's-bay, or be taken into ſuch barge, boat, &c. out of any ſhip or veſſel coming in from any other country, or other part of the province of Maſſachuſet's bay, ſuch barge, boat, &c. ſhall be forfeited.

2. If any wharfinger, or their ſervants, ſhall take up or land, or knowingly ſuffer to be taken up or landed, or ſhall ſhip off, or ſuffer to be waterborne, at or from any of their wharfs, &c. any ſuch goods; in every ſuch caſe, every ſuch wharfinger, &c. and every perſon who ſhall be aſſiſting, or otherwiſe concerned, in the ſhipping or putting on board any boat or other veſſel for that purpoſe, or in the unſhipping ſuch goods, or to whoſe hands the ſame ſhall knowingly come after the ſhipping or unſhipping thereof, ſhall forfeit treble the value thereof, to be computed at the higheſt price ſuch ſort of goods ſhall bear at the place and time where and when the offence ſhall be committed, together with the veſſels and boats, cattle and carriages, made uſe of in the ſhipping, unſhipping, or conveyance, of any of the aforeſaid goods.

3. If any ſhip or veſſel ſhall be moored or lie at anchor, or be ſeen hovering, within the ſaid bay, or within one league from it, it ſhall be lawful for any admiral, chief commander, or commiſſioned officer, of his Majeſty's fleet, or for any officer of his Majeſty's cuſtoms, to compel ſuch ſhip or veſſel to depart to ſome other port or harbour, or to ſuch ſtation as the ſaid officer ſhall appoint, and to uſe ſuch force for that purpoſe as ſhall be found neceſſary: And if ſuch ſhip or veſſel ſhall not depart accordingly within ſix hours after notice for that purpoſe given by ſuch perſon as aforeſaid, ſuch ſhip or veſſel, together with all the goods on board, and all the guns, ammunition, tackle, and furniture, ſhall be forfeited, whether bulk ſhall have been broken or not.

4. Nothing in this act ſhall extend to any military or other ſtores, for his Majeſty's uſe, or to the veſſels wherein the ſame ſhall be laden, which ſhall be commiſſioned by and in the immediate pay of his Majeſty, his heirs, or ſucceſſors; nor to any fuel or victual brought coaſtwiſe from any part of the continent of America, for the neceſſary uſe and ſuſtenance of the inhabitants of the ſaid town of Boſton; provided the veſſel wherein the ſame are carried ſhall be duly furniſhed with a cocket and let-paſs, after having been duly ſearched by the proper officers of the cuſtoms at Marblehead, in the port of Salem, in the province of Maſſachuſet's-bay; and that ſome officer of the cuſtoms be alſo there put on board the ſaid veſſel, who is hereby authoriſed to go on board, and proceed with the veſſel, together with a ſufficient number of perſons, properly armed, for his defence, to the ſaid town or harbour of Boſton: nor to any ſhip, ſhips, or veſſels, that may happen to be within the harbour of Boſton on or before June 1. 1774, and may have either laden or taken on board, or be there with intent to load or take on board, or to land or diſcharge, any goods, provided the ſaid ſhips and veſſels do depart the ſaid harbour within fourteen days after June 1. 1774.

5. All ſeizures, penalties, and forfeitures, inflicted by this act, ſhall be made and proſecuted by any admiral, chief commander, or commiſſioned officer, of his Majeſty's fleet, or by the officers of the cuſtoms, or ſome of them, or by ſome other perſon authoriſed by the treaſury, and by no other perſon whatſoever: And if any ſuch officer, or other perſon authoriſed as aforeſaid, ſhall, directly or indirectly, take or receive any bribe or reward, to

connive at such lading or unlading, or shall make or commence any collusive seizure, information, or agreement, for that purpose, or shall do any other act whereby the goods prohibited as aforesaid shall be suffered to pass either inwards or outwards, or whereby the forfeitures and penalties inflicted by this act may be evaded, every such offender shall forfeit 500 l. for every such offence, and shall become incapable of any office or employment civil or military; and every person who shall give, offer, or promise, any such bribe or reward, or shall contract, agree, or treat with, any person so authorised as aforesaid, to commit any such offence, shall forfeit 500 l.

6. The forfeitures and penalties inflicted by this act, shall be sued for and recovered, and distributed, paid, and applied, in like manner as other penalties and forfeitures inflicted by any act relating to the trade or revenues of the British colonies or plantations in America, are directed to be sued for or recovered, divided, paid, and applied, by two acts, one 4° Geo. III. *for granting certain duties in the British colonies and plantations in America*, &c. [xxvi. 226.]; the other 8° Geo. III. *for the more easy and effectual recovery of the penalties and forfeitures inflicted by the acts of parliament relating to the trade or revenue, of the British colonies and plantations in America.* [xxx. 160.]

7. Every charter-party, bill of loading, and other contract, for consigning, shipping, or carrying, any goods, to or from the said town of Boston, or any part of the bay or harbour thereof, made or entered into, or which shall be made or entered into, so long as this act shall remain in full force, relating to any ship which shall arrive at the said town or harbour after June 1. 1774, shall be utterly void.

8. Whenever it shall appear to his Majesty, in his privy council, that peace, and obedience to the laws, shall be so far restored in the said town of Boston, that the trade of G. Britain may be safely carried on there, and his Majesty's customs duly collected, and his Majesty, in his privy council, shall adjudge the same to be true, it shall be lawful for his Majesty, by proclamation, or order of council, to appoint the extent, bounds, and limits, of the port or harbour of Boston, and of every creek or haven within the same, or in the islands within the precinct thereof; and also to appoint so many open places and wharfs within the said harbour, &c. for the discharging and shipping of goods, as his Majesty, &c. shall judge necessary and expedient, and also to appoint so many officers of the customs therein as his Majesty shall think fit; after which it shall be lawful for any person to put off from or land upon such wharfs and places so appointed within the said harbour, and none other, any goods whatever.

9. Provided, That if any goods shall be put off from or landed upon any other place than those so to be appointed, the same, together with the vessels employed therein, and the cattle and carriages used to convey the same, and the persons concerned or assisting therein, or to whose hands the same shall knowingly come, shall suffer all the forfeitures and penalties imposed by this or any other act on the illegal landing or shipping of goods.

10. Provided also, That nothing herein contained shall be construed to enable his Majesty to appoint such port, harbour, wharfs, &c. or officers, in the said town of Boston, or in the said bay or islands, until it shall sufficiently appear to his Majesty, that full satisfaction hath been made by or on behalf of the inhabitants of the said town of Boston, to the East-India company, for the damage sustained by the said company by the destruction of their goods sent to the said town on board certain ships or vessels as aforesaid; and until it shall be certified to his Majesty in council, by the Governor or Lieutenant-Governor of the said province, that reasonable satisfaction hath been made to the officers of his Majesty's revenue, and others, who suffered by the riots and insurrections above mentioned, in the months of November and December 1773, and in January 1774.

11. Enacted, That if any suit shall be commenced, either in G. Britain or America, against any person, for any thing done in pursuance of this act, the defendant may plead the general issue, and give this act in evidence, and that the same was done in pursuance and by the authority of this act: And if it shall appear so to have been done, the jury shall find for the defendant; and if the plaintiff shall be nonsuited, or discontinue his action, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant shall recover treble costs.

Henry's

Henry's Hiſtory of Great Britain. [79.]

Book 2. ch. 3. § 3. Laws of evidence.

EXTRACTS.

As crimes are commonly committed with great ſecrecy, the innocent are ſometimes ſuſpected and accuſed, and criminals often conceal and deny their guilt. To diſcover the truth, that the innocent may not be condemned, nor the guilty acquitted, is one of the moſt neceſſary and difficult duties of the judicial office; and therefore the laws of evidence, which have been made in every period, to direct judges in the inveſtigation of the truth, are of very great importance, and merit our attention. This ſubject is remarkably curious in the preſent period; becauſe the laws of evidence in England, and over all Europe, were then exceeding ſingular, and different from what they are at preſent.

Oaths. Oaths, or ſolemn appeals to Heaven, have been the moſt ancient and moſt univerſal means employed in courts of juſtice, to engage men to declare the truth: and they were never more frequently employed for this purpoſe than in the period we are now delineating; for in all actions, both civil and criminal, both parties appeared in the field of battle, attended by a prodigious number of witneſſes, (ſometimes above a thouſand on one ſide), who were drawn up like two regular armies, and diſcharged whole vollies of oaths at one another.

Compurgators. When any perſon was judicially accuſed of any crime which he denied, he was obliged, in the firſt place, to purge himſelf, as it was called, by his own oath, and to bring ſuch a number of other perſons as the law required in that caſe, to give their oaths, that they believed him to be innocent, and that he had ſworn the truth. Theſe perſons were commonly called his *compurgators*, becauſe their oaths contributed with his own to clear him from the crime of which he had been accuſed. Many laws were made in England, and in all the other countries of Europe, for regulating the numbers, qualities, and other circumſtances of theſe compurgators; who made a diſtinguiſhed figure in the juriſprudence of the middle ages. When a perſon accuſed produced the number of compurgators required by law, he was ſaid to have purged himſelf by ſuch a number of hands; becauſe each of the compurgators laid one of his hands on the goſpels, or on certain relics, and the perſon accuſed laid his hand above all the reſt, and ſwore by God, and by all the hands that were under his, that he was not guilty; the truth of which, each of the compurgators who did not withdraw his hand, was preſumed to confirm by his oath. In ſome caſes, two, three, or four hands, were ſufficient; but in others, much greater numbers, even forty, fifty, or a hundred, were required; though twelve, or twenty-four, ſeem to have been the moſt common numbers. Theſe compurgators were to be perſons of unblemiſhed characters, near neighbours or relations of the perſon accuſed, and of the ſame rank and quality. If the criminal was a woman, both law and cuſtom required, that her compurgators ſhould alſo be women. In other caſes, women were not admitted to be compurgators. If the criminal produced the number of unexceptionable compurgators which the law required, and if all theſe compurgators took the oath of credulity or belief, as it was called, he was acquitted; but if he could not produce the number required, or if only one of that number refuſed to take the oath, he was condemned.

Some writers, eminent for their learning, and particularly for their knowledge of our antiquities and laws, have been of opinion, that the compurgators of the middle ages were the genuine predeceſſors of the jurors or jurymen of later times. This opinion, though ſupported by great names, is liable to ſtrong objections; and any reader who attentively conſiders the deſcription of compurgators that is given above, will perceive that they were very different in many reſpects from our modern juries. They ſeem to bear a greater reſemblance to thoſe witneſſes who do not pretend to know any thing of the fact in queſtion, but are brought to ſpeak to the character of the perſon upon trial.

Witneſſes. The compurgators were not the only perſons who gave their oaths in trials, in the middle ages; for beſides theſe, great numbers of witneſſes were ſworn on both ſides, to confirm, or to invalidate the charge. But the oaths of witneſſes and compurgators were very different. Witneſſes ſwore that they knew the things which they teſtified to be true: compurgators ſwore only, that they believed the oath which had been given by the defendant was true.

Ceremonies in administering oaths. This great multiplicity of oaths in the judicial proceedings of the middle ages, had the fame effect that it will always have, of diminishing mens veneration for them, and giving occafion to frequent perjury. The legiflators of thofe times employed feveral devices to prevent this, by awakening the conficiences, and keeping alive the religious fears of mankind. With this view, their oaths were couched in the moft awful forms of words that could be invented; and thefe forms were frequently changed, that they might not lofe their effect by becoming too familiar. An oath was not to be adminiftered to any perfon unlefs he was perfectly fober, and even faiting. Oaths were commonly adminiftered in a church; and for this reafon courts were held in or near a place of public worfhip. The perfon who took the oath, was obliged to lay his right hand upon the altar,—or upon the gofpels,—or upon a crofs,—or upon the relics of the moft venerated faints. Thefe, and the like circumftances, were well calculated to make a ftrong impreffion on mens imaginations in thofe ages of ignorance and fuperftition. To roufe a fenfe of honour in the breafts of the military men, their oaths were taken with their hands upon their arms. This laft ceremony was much ufed by the Danes and Saxons, and efteemed by them a moft inviolable obligation to declare the truth. But after all the devices that were invented by the legiflators of the middle ages, to give folemnity to oaths, it is very certain that perjury was very frequent, and one of the reigning vices of thofe times.

Oaths weighed as well as numbered. Another very remarkable fingularity in the laws of evidence, both in England, and in other countries of Europe, in this period, was the method of afcertaining the degrees of credit that were due to the oaths of perfons of different ranks. In thofe times they weighed, as well as numbered, oaths; and had a moft curious ftandard for performing that operation. This ftandard was the legal weregeld, or price, that was fet on the lives of perfons of all the different ranks in fociety. As the weregeld of a thane, for example, was 1200 Saxon fhillings, and that of a ceorl only 200 of the fame fhillings, the oath of one thane was efteemed of equal weight with the oaths of fix ceorls. But this was certainly a fallacious ftandard: for though it may be true in general, that the oaths of perfons of rank and fortune are more worthy of credit than thofe of their inferiors, yet this general rule admits of many exceptions; and we have no reafon to believe, that mens conficiences are fo exactly proportioned to the weight of their purfes as this law fuppofes.

Origin of ordeals. It is eafy to perceive, from the above account of the laws of evidence, that it was no eafy matter for the moft innocent perfon to clear himfelf from an accufation, efpecially in thofe cafes where a great multitude of compurgators was required. Many perfons, therefore, when they were accufed of any crime, chofe rather to apply to Heaven for evidence of their innocence, than to be at the expence and labour of collecting fo prodigious a mafs of human teftimonies in their favour as the laws demanded. The greateft part of the judges alfo, in thofe times of ignorance, had neither patience nor penetration to fift and examine the teftimonies of contradicting witneffes, or to inveftigate the truth in perplexed and doubtful cafes; and were therefore very willing to admit thofe proofs from Heaven, which were fuppofed to be perfectly decifive and unqueftionable. The clergy too fupported the authority of this celeftial evidence, as it gave them no little influence in all judicial matters. Thefe feem to have been the reafons that rendered trials by different kinds of ordeals fo frequent, and of fuch great authority, in the ages we are now examining; for all thefe ordeals were called *judicia Dei*, (the judgements of God), and were confidered as fo many folemn and direct appeals to Heaven, to give teftimony to the guilt or innocence of perfons accufed of crimes, when human evidence could not be procured. Agreeable to thefe ideas, all thefe ordeals were adminiftered by the clergy, and accompanied with many religious rites and ceremonies.

Different ordeals. It is not neceffary to enumerate all the different kinds of ordeals that were ufed in England, and in the other countries of Europe, in this period. The moft common were the fix following:—the judicial combat,—the ordeal of the crofs,—the ordeal of the corfned,—the ordeal of cold water,—the ordeal of hot water,—the ordeal of hot iron.

1. The judicial combat being well fuit-

ed

ed to the genius and ſpirit of fierce and warlike nations, was one of the moſt ancient and univerſal ordeals, and particularly prevailed in Germany in very remote ages. This method of trial was alſo in uſe in ſeveral countries on the continent in this period.

2. The croſs was an object of ſo much ſuperſtitious veneration in this period, that there is no wonder it was employed as an ordeal. It was indeed uſed to this purpoſe in ſo many different ways, that they cannot be all deſcribed. In criminal trials, the judgement of the croſs was commonly thus conducted. When the priſoner had declared his innocence upon oath, and appealed to the judgement of the croſs, two ſticks were prepared exactly like one another; the figure of the croſs was cut on one of theſe ſticks, and nothing on the other; each of them was then wrapped up in a quantity of fine white wool, and laid on the altar, or on the relics of the ſaints; after which a ſolemn prayer was put up to God, that he would be pleaſed to diſcover, by evident ſigns, whether the priſoner was innocent or guilty. Theſe ſolemnities being finiſhed, a prieſt approached the altar, and took up one of the ſticks, which was uncovered with much anxiety. If it was the ſtick marked with the croſs, the priſoner was pronounced innocent; if it was the other, he was declared guilty. When the judgement of the croſs was appealed to in civil cauſes, the trial was conducted in this manner: The judges, parties, and all concerned, being aſſembled in a church, each of the parties choſe a prieſt, the youngeſt and ſtouteſt that he could find, to be his repreſentative in the trial. Theſe repreſentatives were then placed one on each ſide of ſome famous crucifix; and at a ſignal given, they both at once ſtretched their arms at full length, ſo as to form a croſs with their body. In this painful poſture they continued to ſtand while divine ſervice was performing; and the party whoſe repreſentative dropped his arms firſt loſt his cauſe.

3. The conſined, or the conſecrated bread and cheeſe, was the ordeal to which the clergy commonly appealed when they were accuſed of any crimes; in which they acted a very prudent part, as it was attended with no danger or inconveniency. This ordeal was performed in this manner: A piece of barley-bread, and a piece of cheeſe, were laid upon the altar, over which a prieſt pronounced certain conjurations, and prayed with great fervency, that if the perſon accuſed was guilty, God would ſend his angel Gabriel to ſtop his throat, that he might not be able to ſwallow that bread and cheeſe. Theſe prayers being ended, the culprit approached the altar, took up the bread and cheeſe, and began to eat it. If he ſwallowed freely, he was declared innocent; but if it ſtuck in his throat, and he could not ſwallow, (which we may preſume ſeldom or never happened), he was pronounced guilty.

4. The ordeal of cold water ſeems to have been chiefly uſed in the trials of the common people. It was thus conducted: The perſon who was to be tried, was put under the direction of a ghoſtly father, of great reputation for his ſanctity, who obliged him to perform many extraordinary acts of devotion, and to keep a rigorous faſt for three days. When this faſt was ended, and the day appointed for the trial come, the priſoner was publicly conducted to the church, where the prieſt celebrated maſs; and before he permitted the accuſed to communicate, he addreſſed him in the following ſolemn ſtrain:—"I adjure thee, O man, by the Father, Son, and Holy Ghoſt, by the true Chriſtianity which you profeſs, by the only begotten Son of God, by the Holy Trinity, by the holy goſpel, and by all the holy relics in this church, that you do not preſume to communicate, or approach this holy altar, if you have committed this crime, conſented to it, or known who committed it." If the priſoner made no confeſſion, the prieſt gave him the communion, ſaying, "Let this body and blood of our Lord Jeſus Chriſt be received by you as a probation this day." After this a quantity of holy water was conſecrated, and then the whole company left the church, and went in proceſſion to the pool, where the ordeal was to be performed. When they arrived there, the prieſt gave the priſoner a drink of the holy water; ſaying, "Let this holy water be to thee a probation this day." If the priſoner ſtill continued to deny his guilt, the prieſt then ſaid a long and very fervent prayer over the pool, adjuring it by every thing that was divine and venerable in heaven or on earth, that if the perſon to be thrown into it was guilty, it would reject him, and cauſe him to float upon its ſurface; but if he was innocent, that

it

it would receive him into its boſom. The priſoner was then ſtripped naked, his hands and legs made faſt, and a rope tied about his middle, with a knot upon it, at the diſtance of a yard and a half from his body, and thrown into the pool. If he floated, (which was hardly to be imagined), he was taken out, and declared guilty; if he ſunk ſo deep as to bring the knot on the rope under the water, he was inſtantly pulled out, before he could receive any injury, and pronounced innocent. This ordeal was evidently a very uncertain teſt of guilt or innocence; but the great ſolemnity with which it was adminiſtered, might ſometimes ſtrike terror into the minds of criminals, and bring them to confeſſion. In this ordeal it was preſumed, that God would work a miracle for the detection of guilt; in the two next ordeals of hot water and hot iron, the preſumption was, that he would work a miracle for the vindication of innocence: but there was no ſolid foundation for either of theſe preſumptions.

5. The preparations by faſtings, prayers, and other religious exerciſes for the hot-water ordeal, were of the ſame kind, and of the ſame duration, with thoſe that were uſed before the ordeal of cold water. When theſe private preparations were finiſhed, the perſon to be tried was conducted with great ſolemnity to the church, where the prieſt began, by ſaying certain prayers ſuitable to the occaſion; after which maſs was celebrated; and before the accuſed was permitted to communicate, he was adjured, in the moſt awful form of words, to confeſs if he was guilty. Fire was then kindled under a pot filled with water; and while the water was heating, the prieſt ſaid many prayers compoſed for that purpoſe. As ſoon as the water began to boil, a ſtone was ſuſpended in it by a ſtring, at the depth of one, two, or three palms, according to the nature of the accuſation. The pot was then taken down and placed by the ſide of the fire; and the priſoner having ſaid the Lord's prayer, (not very rapidly we may preſume), and marked himſelf with the ſign of the croſs, plunged his naked hand and arm into the water, and snatched out the ſtone. His arm was inſtantly wrapped in linen cloths, and put into a bag, which was ſealed by the judge in the preſence of the ſpectators. The priſoner was then reſtored to the prieſt, who produced him in the ſame church at the end of three days; when the bag was opened, the bandages taken off, and the arm examined by twelve of his own friends, and twelve of the friends of the proſecutor. If any marks of ſcalding then appeared upon the arm, the priſoner was found guilty; if no ſuch marks could be diſcovered, he was acquitted.

6. The religious preparations for the next ordeal were the ſame with thoſe for the former; and therefore need not be repeated. The ordeal of hot iron was of two kinds, and performed either with a ball of iron, or with a certain number of plough-ſhares. The former was conducted in this manner: A ball of iron was prepared, of one, two, or three pound weight, according to the nature of the accuſation. When all the prayers and other religious ceremonies were finiſhed, this ball was put into a fire, and made red-hot; after which it was taken out. The priſoner having ſigned himſelf with the croſs, and ſprinkled his hand with holy water, took the ball of hot iron in his hand, and carried it to the diſtance of nine feet; after which his hand was put into a bag, and ſealed up for three days; at the expiration of which it was examined, in the preſence of twelve perſons of each party. If any marks of burning appeared upon it, the accuſed was found guilty; if none, he was declared innocent. The other way of performing this ordeal was, by making the perſon who was to be tried to walk blindfolded, with his feet bare, over nine hot plough-ſhares, placed at certain diſtances. If he did this without being burnt, he was adjudged innocent; if not, guilty. This ſeemingly dangerous ordeal of hot iron was appropriated to perſons of high rank.

If we ſuppoſe, that few or none eſcaped conviction who expoſed themſelves to theſe fiery trials, we ſhall be very much miſtaken. For the hiſtories of thoſe times contain innumerable examples of perſons plunging their naked arms into boiling water, handling red hot balls of iron, and walking upon burning plough-ſhares, without receiving the leaſt injury. Many learned men have been much puzzled to account for this, and diſpoſed to think, that Providence graciouſly interpoſed, in a miraculous manner, for the preſervation of injured innocence. But if we examine every circumſtance of theſe fiery ordeals, with due attention, we ſhall ſee ſufficient reaſon to ſuſpect, that the whole was a groſs impoſition on the credulity of mankind. The accuſed perſon was committed

committed wholly to the prieſt who was to perform the ceremony, three days before the trial, in which he had time enough to bargain with him for his deliverance, and give him inſtructions how to act his part. On the day of trial, no perſon was permitted to enter the church, but the prieſt and the accuſed, till after the iron was heated; when twelve friends of the accuſer, and twelve of the accuſed, and no more, were admitted, and ranged along the wall on each ſide of the church, at a reſpectful diſtance. After the iron was taken out of the fire, ſeveral prayers were ſaid, the accuſed drank a cup of holy water, and ſprinkled his hand with it; which might take a conſiderable time, if the prieſt was indulgent. The ſpace of nine feet was meaſured by the accuſed himſelf with his own feet, and he would probably give but ſcanty meaſure. He was obliged only to touch one of the marks with the toe of his right foot, and allowed to ſtretch the other foot as far towards the other mark as he could; ſo that the conveyance was almoſt inſtantaneous. His hand was not immediately examined, but wrapped in a cloth, prepared for that purpoſe, three days. May we not then, from all theſe precautions, ſuſpect, that theſe prieſts were in poſſeſſion of ſome ſecret that ſecured the hand from the impreſſions of ſuch a momentary touch of hot iron, or removed all appearances of theſe impreſſions in three days; and that they made uſe of this ſecret when they ſaw reaſon? What greatly ſtrengthens theſe ſuſpicions is, that we meet with no example of any champion of the church who ſuffered the leaſt injury from the touch of hot iron in this ordeal; but when any one was ſo fool-hardy as to appeal to it, or to that of hot water, with a view to deprive the church of any of her poſſeſſions, he never failed to burn his fingers, and loſe his cauſe.

SIR, *London, Jan.* 1774.

NOthing more diſtinguiſhes a great and noble ſoul, than the regarding injuries with contempt, and deſpiſing every opportunity for revenge. A generous mind will ever find more pleaſure in forgiving than in reſenting ingratitude. The ungrateful man, who is made ſenſible of his error by reaſon and kindneſs, is doubly conquered; for he is then deprived not only of the ability, but even of the wiſh, to be further hurtful, and he ſinks into himſelf with ſhame and confuſion.

Demetrius Poliorcetes, who had been of infinite ſervice to the Athenian people, on his departure to conduct the war ſubmitted to them the care of his wife and children. Unfortunately, he loſt the battle, and was obliged to ſeek ſafety in flight. He determined, as the moſt prudent method, to take refuge among his good friends, the Athenians: but thoſe ungrateful people refuſed to receive him; and even ſent to him his wife and children, pretending there could be little ſecurity for them in Athens, from whence the enemy would ſoon be in a condition to take them.

This behaviour pierced Demetrius to the heart; for nothing ſo ſenſibly affects generous ſouls as the ingratitude of friends.

Some time after, when Fortune had given a happier turn to the fate of his arms, and placed him at the head of a powerful army, he turned his attention towards Athens, and laid ſiege to that city. The Athenians, concluding they had no mercy to expect from Demetrius, reſolved to die ſword in-hand, and publiſhed an edict, declaring it inſtant death to thoſe who ſhould propoſe ſurrendering to that prince: but they forgot that they had no corn in the city, and that they ſhould ſoon be in want of bread.

After having a long time ſuffered the moſt cruel hunger, the moſt reaſonable of the beſieged, declared, that it was better to be killed by Demetrius at one ſtroke than to die a lingering death by famine. Perhaps, ſaid they, Demetrius may ſave our wives and children. This advice prevailed, and the gates were thrown open.

Demetrius then ordered, that all the married men ſhould be aſſembled in ſome ſpacious place, that his ſoldiers, ſword-in hand, might ſurround them. Nothing was then ſeen but horror and confuſion: wives embracing their huſbands, children their fathers, and taking the laſt farewell of each other.

When they were all aſſembled, Demetrius reproached them for their ingratitude, and could not refrain himſelf from tears. The multitude kept ſilence, expecting every moment he would order the ſoldiery to maſſacre them: but how great was their aſtoniſhment when they heard this good prince ſay, "My deſign is to convince you of your ingratitude towards me: it was not to an enemy you refuſed aſſiſtance, but to a prince who loved you, who loves you ſtill, and who ſeeks no other revenge but in pardoning you, and making you happy. Go each of you home; while you have been ſtanding here, my ſoldiers, by my orders, have furniſhed your houſes with corn and bread."

HISTORICUS.

Lond. Mag.

A father's legacy to his daughters. By the late Dr Gregory of Edinburgh [xxxv. 110.]. *pp.* 144. *small 8vo, on writing foolscap paper. 2s. ſewed.* Strahan, and Cadell, London; Creech, Edinburgh.

A Second edition of this little pretty book became very ſoon neceſſary.—We give extracts from the different heads.

PREFACE.

THE editor is encouraged to offer this treatiſe to the public, by the very favourable reception which the reſt of his father's works have met with. The *Comparative view of the ſtate of man and other animals* [xxxvii. 536.], and the *Eſſay on the office and duties of a phyſician*, have been very generally read; and, if he is not deceived by the partiality of his friends, he has reaſon to believe they have met with general approbation.

In ſome of thoſe tracts the author's object was to improve the taſte and underſtanding of his reader; in others, to mend his heart; in others, to point out to him the proper uſe of philoſophy, by ſhewing its application to the duties of common life. In all his writings his chief view was the good of his fellow-creatures; and as thoſe among his friends in whoſe taſte and judgement he moſt confided, think the publication of this ſmall work will contribute to that general deſign, and at the ſame time do honour to his memory, the editor can no longer heſitate to comply with their advice in communicating it to the public.

INTRODUCTION.

MY DEAR GIRLS,

YOU had the misfortune to be deprived of your mother, at a time of life when you were inſenſible of your loſs, and could receive little benefit, either from her inſtruction, or her example.—Before this comes to your hands, you will likewiſe have loſt your father.

I have had many melancholy reflections on the forlorn and helpleſs ſituation you muſt be in, if it ſhould pleaſe God to remove me from you, before you arrive at that period of life, when you will be able to think and act for yourſelves. I know mankind too well. I know their falſehood, their diſſipation, their coldneſs to all the duties of friendſhip and humanity. I know the little attention paid to helpleſs infancy.—You will meet with few friends diſintereſted enough to do good offices, when you are incapable of making them any return, by contributing to their intereſt or their pleaſure, or even to the gratification of their vanity.——

The anxiety I have for your happineſs has made me reſolve to throw together my ſentiments relating to your future conduct in life. If I live for ſome years, you will receive them with much greater advantage, ſuited to your different geniuſes and diſpoſitions. If I die ſooner, you muſt receive them in this very imperfect manner,—the laſt proof of my affection.

You will all remember your father's fondneſs, when perhaps every other circumſtance relating to him is forgotten. This remembrance, I hope, will induce you to give a ſerious attention to the advices I am now going to leave with you.—I can requeſt this attention with the greater confidence, as my ſentiments on the moſt intereſting points that regard life and manners, were entirely correſpondent to your mother's, whoſe judgement and taſte I truſted much more than my own.

RELIGION.

THOUGH the duties of religion, ſtrictly ſpeaking, are equally binding on both ſexes; yet certain differences in their natural character and education, render ſome vices in your ſex particularly odious. The natural hardneſs of our hearts, and ſtrength of our paſſions, inflamed by the uncontrouled licence we are too often indulged with in our youth, are apt to render our manners more diſſolute, and make us leſs ſuſceptible of the finer feelings of the heart. Your ſuperior delicacy, your modeſty, and the uſual ſeverity of your education, preſerve you, in a great meaſure, from any temptation to thoſe vices to which we are moſt ſubjected. The natural ſoftneſs and ſenſibility of your diſpoſitions particularly fit you for the practice of thoſe duties where the heart is chiefly concerned. And this, along with the natural warmth of your imaginations, renders you peculiarly ſuſceptible of the feelings of devotion.

There are many circumſtances in your

ſituation

ſituation that peculiarly require the ſupports of religion to enable you to act in them with ſpirit and propriety. Your whole life is often a life of ſuffering. You cannot plunge into buſineſs, or diſſipate yourſelves in pleaſure and riot, as men too often do, when under the preſſure of misfortunes. You muſt bear your ſorrows in ſilence, unknown and unpitied. You muſt often put on a face of ſerenity and chearfulneſs, when your hearts are torn with anguiſh, or ſinking in deſpair. Then your only reſource is in the conſolations of religion. It is chiefly owing to theſe that you bear domeſtic misfortunes better than we do.

But you are ſometimes in very different circumſtances, that equally require the reſtraints of religion. The natural vivacity, and perhaps the natural vanity of your ſex, is very apt to lead you into a diſſipated ſtate of life, that deceives you, under the appearance of innocent pleaſure; but which in reality waſtes your ſpirits, impairs your health, weakens all the ſuperior faculties of your minds, and often ſullies your reputations. Religion, by checking this diſſipation, and rage for pleaſure, enables you to draw more happineſs, even from thoſe very ſources of amuſement, which, when too frequently applied to, are often productive of ſatiety and diſguſt.

Religion is rather a matter of ſentiment than reaſoning. The important and intereſting articles of faith are ſufficiently plain. Fix your attention on theſe, and do not meddle with controverſy. If you get into that, you plunge into a chaos, from which you will never be able to extricate yourſelves. It ſpoils the temper, and, I ſuſpect, has no good effect on the heart.

Avoid all books, and all converſation, that tend to ſhake your faith on thoſe great points of religion which ſhould ſerve to regulate your conduct, and on which your hopes of future and eternal happineſs depend.

Never indulge yourſelves in ridicule on religious ſubjects; nor give countenance to it in others, by ſeeming diverted with what they ſay. This, to people of good breeding, will be a ſufficient check.

I wiſh you to go no farther than the ſcriptures for your religious opinions. Embrace thoſe you find clearly revealed. Never perplex yourſelves about ſuch as you do not underſtand, but treat them with ſilent and becoming reverence. — I would adviſe you to read only ſuch religious books as are addreſſed to the heart, ſuch as inſpire pious and devout affections, ſuch as are proper to direct you in your conduct, and not ſuch as tend to entangle you in the endleſs maze of opinions and ſyſtems.

Be punctual in the ſtated performance of your private devotions, morning and evening. If you have any ſenſibility or imagination, this will eſtabliſh ſuch an intercourſe between you and the Supreme Being, as will be of infinite conſequence to you in life. It will communicate an habitual chearfulneſs to your tempers, give a firmneſs and ſteadineſs to your virtue, and enable you to go through all the viciſſitudes of human life with propriety and dignity.

I wiſh you to be regular in your attendance on public worſhip, and in receiving the communion. Allow nothing to interrupt your public or private devotions, except the performance of ſome active duty in life, to which they ſhould always give place. — In your behaviour at public worſhip, obſerve an exemplary attention and gravity. ——

Cultivate an enlarged charity for all mankind, however they may differ from you in their religious opinions. That difference may probably ariſe from cauſes in which you had no ſhare, and from which you can derive no merit.

Shew your regard to religion, by a diſtinguiſhing reſpect to all its miniſters, of whatever perſuaſion, who do not by their lives diſhonour their profeſſion; but never allow them the direction of your conſciences, leſt they taint you with the narrow ſpirit of their party.

The beſt effect of your religion will be a diffuſive humanity to all in diſtreſs. — Set apart a certain proportion of your income as ſacred to charitable purpoſes. But in this, as well as in the practice of every other duty, carefully avoid oſtentation. Vanity is always defeating her own purpoſes. Fame is one of the natural rewards of virtue. Do not purſue her, and ſhe will follow you. ——

You will probably wonder at my having educated you in a church different from my own. The reaſon was plainly this: I looked on the differences between our churches to be of no real importance, and that a preference of one to the other was a mere matter of taſte. Your mother was educated in the church of England, and had an attachment to it,

it, and I had a prejudice in favour of every thing ſhe liked. It never was her deſire that you ſhould be baptized by a clergyman of the church of England, or be educated in that church. On the contrary, the delicacy of her regard to the ſmalleſt circumſtance that could affect me in the eye of the world, made her anxiouſly inſiſt it might be otherwiſe. But I could not yield to her in that kind of generoſity.—When I loſt her, I became ſtill more determined to educate you in that church, as I feel a ſecret pleaſure in doing every thing that appears to me to expreſs my affection and veneration for her memory.—I draw but a very faint and imperfect picture of what your mother was, while I endeavour to point out what you ſhould be.

[*To be continued.*]

LONDON.

Religion, Morality, Controverſy, &c.

The theological repoſitory, conſiſting of original eſſays, hints, queries, &c. calculated to promote religious knowledge. 3 vols. 18s. boards *Johnſon.* —— Undertaken with the concurrence of ſeveral learned and ingenious men among the diſſenters, Mr Newcome Cappe of York, Mr Clark of Birmingham, Dr Kippis of Weſtminſter, Mr Merivale of Exeter, Mr Scot of Ipſwich, Mr Turner of Wakefield, &c. and publiſhed under the immediate direction of Dr Prieſtley; —and meant to be a common channel of communication open for the reception of all new obſervations relative to theology; ſuch as, illuſtrations of the ſcripture, arguments in favour of revealed religion, the objections of unbelievers, the anſwers &c. C.

Chriſtian Zeal; or Three diſcourſes on the importance of ſeeking the things of Chriſt, more than our own. By Job Orton. 9d. *Buckland.* —— Plain, ſenſible, and perſuaſive M.

Rational ſelf-love; or, A philoſophical and moral eſſay on the natural principles of happineſs and virtue: with reflections on the various ſyſtems of philoſophers, ancient and modern, on this ſubject. By L—— N——. 2s. *Gregſon.* —— May be conſidered as a kind of commentary on thoſe lines of Mr Pope, which our author has adopted for his motto, and which are literally the *text* or ground-work of his performance:

"*Self love* and *Reaſon* to one end aſpire;
Pain their averſion, Pleaſure their deſire:
But greedy *That* its object would devour;
This taſte the honey, and not wound the flower:
Pleaſure, or wrong, or rightly underſtood,
Our greateſt *evil*, or our greateſt *good*" M.

The polite preceptor; or, Improving moraliſt: Conſiſting of a choice collection of relations, viſions, allegories, and moral eſſays, ſelected from the moſt eminent Engliſh authors. Deſigned for the uſe of ſchools. 3s. *Snagg.* —— Well fitted for the entertainment and improvement of youth. M.

The juſtice and utility of penal laws for the direction of conſcience, examined; in reference to the diſſenters late application to parliament. 2s. *Dilly* —— Averſe to penal laws in matters of conſcience. M.

Opinions concerning the univerſity of Oxford, and ſubſcription to the thirty-nine articles. By a clergyman. 1s. *Evans* —— This clergyman does not, as might be expected in a Chriſtian divine, take any great notice of the ſcriptures: the rules of the church of England, *as by law eſtabliſhed*, ſeem to be with him a higher authority. M

A letter to the Rt Rev. Shute, Lord Biſhop of Landaff, from a petitioner. 1s. *Johnſon* —— There is a vein of pleaſantry and humour that runs through this performance; and there are ſome ſtrokes of wit which will extort a ſmile even from four eccleſiaſtics, if four eccleſiaſtics ever ſmile. But its pleaſantry is not its only recommendation: it breathes a liberal and manly ſpirit, and ſhews the author to be a man of abilities, and a hearty friend to religious liberty. M.

Two letters on the late applications to parliament by the Proteſtant diſſenting miniſters: one, An addreſs to the diſſenting laity on the ſubject of thoſe applications; the other, An inquiry into the lawfulneſs of the declaration propoſed to be ſubſtituted in the room of ſubſcription to the articles of the church of England. By Joſhua Toulmin, A. M. 2s. *Johnſon.* —— Deſerve to be ranked with the beſt performances that have been publiſhed on the ſubject of the diſſenters petition, being written in a candid, liberal, and judicious manner. M.

Arcana; or, The principles of the late petitioners to parliament for relief in the matter of ſubſcription. In eight letters to a friend: 1. On candour in controverſy; 2. On uniformity in religion; 3. On the right of private judgement; 4. On civil magiſtracy; 5. On innovation; 6. On orthodoxy; 7. On perſecution; 8. On ſophiſtry. 2s. *Dilly.* —— Though not an elegant writer, a very ſenſible man M.

A letter to a layman, on the ſubject of the Rev. Mr Lindſey's propoſal for a reformed Engliſh church, &c. [86.] 6d. *Wilkie* —— A vehement declamation againſt the eſtabliſhed church, chiefly on account of her Tritheiſm. M.

Hiſtory, Law, Politics, &c.

Britiſh Biography; or, An accurate and impartial account of the lives and writings of eminent

eminent perſons in G. Britain and Ireland, from Wickliffe, who began the reformation by his writings, to the preſent time. 6 vols. 1l. 11s. 6d. boards. *Baldwin, &c.* —— Thoſe who are acquainted with the arts of authorſhip, particularly in the compilation-branch, may be apt to ſuſpect, that the lives in this work are little more than a mere abridgement of thoſe in the *Biographia Britannica*: but this does not ſeem to be the caſe; our author has exerciſed his natural right of thinking and ſpeaking for himſelf. It is ſeveral years ſince the firſt volume of the preſent work appeared; the ſecond volume was printed in 1766, and the third in 1767. It is now advanced as far as the ſixth, and the undertaking is to be completed in two more. The work of one perſon only. M.

A new chronological table of remarkable events, diſcoveries, and inventions; alſo, the æra, the country, and writings of learned men: the whole comprehending, in one view, the analyſis or outlines of general hiſtory, from the creation to the preſent time. Folio. 1s. *Knox.* —— Printed on a broad ſide, and fit for framing. It is alſo bound up with the laſt edition of Guthrie's geographical grammar. M.

A deſcription of England and Wales. Embelliſhed with 240 copper-plates. 10 vols. 12mo. 1l. 10s. ſewed. *Newberry and Carnan.* —— Executed with a greater degree of accuracy and preciſion than is uſually to be met with in compilations of this nature. M.

The complete Engliſh peerage; or, A genealogical and hiſtorical account of the peers and peereſſes of this realm. By the Rev. Frederick Parlow, M. A. 2 vols. 12s. 6d. boards. *Evans.* —— "We ſhall not be afraid [ſay the authors of this work] to pull aſide the ermine, to ſhew the corruption [which] lies hidden behind, and our reverence for truth will embolden us to diſcloſe the weakneſs of the head, even when encircled by the diadem." This is a bold declaration; but we find it made good in a variety of inſtances. The ſtate of the ſeveral Noble families is brought down to the time of the publication of the book. M.

Fragments relating to the late revolutions in India, the death of Count Lally, and the proſecution of Count de Morangies. 2s. 6d. ſewed. *Nourſe.* —— Contains intrinſic evidence of being the production of M. de Voltaire. "All judicious and compaſſionate men [ſays our author] were of opinion, that the condemnation of Gen. Lally was one of the murders perpetrated with the ſword of juſtice. There is no civilized nation, where the laws intended for the protection of innocence, have not ſometimes ſerved to oppreſs it. It is a misfortune inſeparable from the weakneſs of human nature. Since the puniſhment of the Templars, no age has paſſed in which the judges in France have not committed fatal errors. Theſe judicial iniquities have ſometimes been the conſequence of abſurd and barbarous, and ſometimes of the perverſion of good laws." C.

The Irenarch; or, Juſtice of the peace's manual. By a gentleman of the commiſſion. To which is prefixed, a dedication to Lord Mansfield, by another hand. 2s. *Payne.* —— An excellent pamphlet. The writer is undoubtedly a man of abilities, and of extenſive reading. His manual may be recommended to magiſtrates as equally profitable to conſult for the general outlines of their duty, with Dr Burn's legal inſtructions for the reſpective particulars.—"Let me mention [ſays the dedicator] a few of thoſe articles which are reckoned among our grievances in the law, and which have ſomewhat unſettled your Lordſhip in the affections of the Engliſh." This is artfully done, by commenting on the ſeveral charges exhibited in Junius's celebrated letter to Lord Manſfield. The dedicator ſeeming to think the liberty of the preſs in danger, chiefly from its abuſe, the reviewers ſay, "As to the abuſe of the preſs, this evil is chiefly owing to a few obſcure, ignorant, deſperate ſcribblers, who labour, in party-times, to write themſelves into conſequence by daring inſolence; and who having neither property, character, nor conſcience to hazard, ſtudy only to expoſe themſelves to the ſcourge of law, that they may claim the merit of ſuffering in the cauſe of liberty, and riſe by the compaſſion of the deluded multitude. It never proceeds from gentlemen who write to communicate knowledge, or from reputable bookſellers. The fields of literature might, however, in a great meaſure, be cleared of ſuch noxious weeds, if none but regular ſtationers, who have ſerved an apprenticeſhip, were allowed to print, or to publiſh printed works; and if the number of ſuch apprentices were under ſome prudent reſtriction. The printing and bookſelling profeſſions are evidently overſtocked in numbers; and as all are to ſtrive to live, want of trade produces want of principle; hence literature is diſgraced: whereas, if the traders in this ſpecies of commodity were fewer in number, a ſenſe of dignity and reputation would operate; becauſe the trade being better, the temptations of unworthy gain would be weaker. M.

A modeſt plea for the property of copyright. By Catherine Macaulay. 1s. 6d. *Dilly.* —— The moſt important queſtion on this ſubject is this: Is rendering literary property common, advantageous or diſadvantageous to the ſtate of literature in this country? Our author is of opinion, that it will not only be diſadvantageous, but ruinous to

the ſtate of literature. "When books become common, the ſtyle, if not the ſentiments of the author, will be miſerably mangled, and the ſhops full of thoſe wretched editions of works which would diſgrace even an Iriſh preſs." What our author obſerves in the foregoing quotation, will be certainly verified in the event. When every printer or bookſeller is at liberty to republiſh any work he can ſeize, he will calculate his editions for the vulgar, that is, for general ſale; and we ſhall, in a little time, be over run with wretched publications. The republic of letters will be injured and diſgraced by Birmingham books, as our currency has been debaſed by Birmingham coinage. C.

Literary liberty conſidered; in a letter to Henry Simpſon Woodfall. [1774.] 1s. *Johnſon.* —— Judiciouſly diſtinguiſhes the falutary liberty from the pernicious licentiouſneſs of the preſs, the latter of which he imputes chiefly to the printers of the news-papers. C.

The farmer's lawyer; or, Every country-gentleman his own counſellor. By a gentleman of Lincoln's Inn. 3s. 6d. *Kearſley.* —— Will leave his client as ignorant as he found him, with reſpect to many points on which he may have occaſion to conſult him. M.

The modern pariſh-officer; or, The pariſh officer's complete duty. Brought down to the preſent period. By the author of the preceding article. 3s. 6d. *Kearſley.* —— A hurried imperfect publication, diſguiſed under oſtentatious profeſſions. M.

The legal degrees of marriage ſtated and conſidered. By John Alleyne, Eſq; barriſter at law. 1s. *Harrop.* —— Renews the theme formerly diſcuſſed by Mr Fry, who juſtified all the marriages of kindred, excepting thoſe in the immediately aſcending and deſcending line, and between full brothers and ſiſters. He is therefore a very ſanguine advocate for ſome diſtreſſed client who pines for the ſiſter of his deceaſed wife; and in this cauſe warmly undertakes to refute thoſe religious prejudices, which, as he expreſſes it, "cannot ſtand the *fire* of argument." This fire is indeed kept up with more impetuoſity than ſteady courage; tho' ſome of the ſhot are well aimed, and ſeem to take effect. M.

Abſtract of an act for amendment of the highways, 13° Geo III. ch. 78. With the ſchedule of forms, table of daily duty, compoſition, and penalty from 500l. per ann. to 50l.; form of ſurveyor's account, and a ſummary of reſpective duties and other matters. By a Surry juſtice. Folio. 1s. 6d. *Evans.*

The Poliſh partition illuſtrated; in ſeven dramatic dialogues, or converſation-pieces, between remarkable perſonages. Publiſhed from the mouths and actions of the interlocutors. By Gotlib Panſmouzer, the Baron's nephew. 1s. 6d. *Elmſley.* —— Extremely ſatirical on the principal interlocutors, the King of Pruſſia and the two Empreſſes. The other interlocutors, beſides the King of Poland, are, Ephraim, Baron of Joppa, Serjeant Whiſkerfeldt, a philoſopher, and a geographer. The dialogues are admirable, and the pamphlet will ſerve as a very proper ſupplement to the four celebrated letters on the preſent ſtate of Poland. M. [xxxv. 207.]

The petition of Mr Bollan, agent for the council of the province of Maſſachuſets bay, to the King in council, dated Jan. 26. 1774. With illuſtrations. 6d. *Almon.* —— The allegations in this petition being of a controverſable nature, nothing can be determined with certainty concerning its merits, without an accurate knowledge of all the papers now under the conſideration of parliament. C.

Coloniſing; or, A plain inveſtigation of that ſubject; with a legiſlative, political, and commercial view of our colonies. 1s. *Payne.* —— An advocate for the power of the Britiſh government over all our colonies. Tho' he enters not deeply into the ſubject, his arguments are rational. C.

An alarm for illuſtrious (though careleſs) electors. 6d. *Evans.* —— A zealous declamation in favour of liberty and virtue. M.

An eſſay concerning the eſtabliſhment of a national bank in Ireland. 1s. *Robinſon.* —— This ſenſible eſſayiſt points out, in a manner that to us appears ſatisfactory, the advantages which would accrue to Britain and Ireland from the eſtabliſhment of a national bank in the latter kingdom. To mention in his own words the objects of ſuch an eſtabliſhment, they are the three following, viz. "The furniſhing money to borrowers upon more reaſonable terms; the raiſing the grand pledge of land in Ireland one fourth or one third more; and the aſſuring to the whole community the never-failing value of the ſmall diminutive pledges that are daily paſſing from hand to hand. C.

Natural Hiſtory, Medicine, Mathematics, &c.

An hiſtorical account of coffee. With an engraving and botanical deſcription of the tree. To which are added ſundry papers relative to its culture and uſe, as an article of diet and of commerce. Publiſhed by John Ellis, F. R. S. 3s. *Dilly.* —— Deſigned to promote ſcience, national advantage, and the proſperity of the iſland of Dominica. C.

A diſcourſe on the beſt method of proſecuting medical inquiries; delivered before the Medical Society of London, at their annual meeting, on Tueſday, Jan. 18 1774, and publiſhed at their requeſt. By James Sims, M. D. 2s. *Johnſon.* —— The ſubject

is the conteſted claim to ſuperiority between the reſpective abettors of theory and experience in the practice of phyſic. The diſcourſe is chiefly employed in delineating the various hypotheſes which have been ſucceſſively maintained by phyſicians, with the conſequences reſulting from them. C

Nature ſtudied with a view to preſerve and reſtore health. By William Smith. 4 s. *Owen.* —— This treatiſe may be conſidered as a rational diſſertation upon the general laws of the animal œconomy, and the origin of diſeaſes. The author declares himſelf to be poſſeſſed of a medicine that has never yet failed to cure conſumptions, aſthmas, fevers of the putrid, malignant, and inflammatory kind, palſies, and ſcrophula; and he is ready to prove its ſucceſs in theſe caſes before any committee of the faculty. C.

Animadverſions on a late treatiſe on the kink-cough [xxxv. 540.] To which is annexed, An eſſay on that diſorder. 1 s. 6 d. *Lellemain.* —— Worthy of attention. C.

Science improved; or, The true theory of the univerſe. Comprehending a rational ſyſtem of the moſt uſeful as well as entertaining parts of natural and experimental philoſophy, embelliſhed with copper-plates on a new-invented moveable conſtruction, &c. By Thomas Harrington. 7 s. 6 d. ſewed. *Crowder.* —— A compilation in which the leading principles of the celeſtial philoſophy are familiarly explained, and applied to the purpoſes of religion and virtue; but we are ſorry to obſerve, that the author has paid little regard to order in the diſtribution of his materials, and that ſome of his deſcriptions are obſcure and imperfect. M.

A treatiſe on the longitude, &c. By R. Waddington. 2 s. 6 d. *Nourſe.* —— May be conſidered as a kind of ſecond ſupplement to the author's Practical Method, and the ſupplement to it [xxv. 621. xxvi. 149.], and is a valuable addition to them. This new treatiſe contains inſtructions and tables for the uſe of the ſextant and octant in celeſtial obſervations, particularly in thoſe that immediately relate to the longitude. He has given an abſtract of the dimenſions of the ſolar ſyſtem, deduced from the obſervations of the laſt tranſit. M.

The ſeaman's uſeful friend and pleaſant companion. 1 s. 6 d. *Richardſon.* —— Written in a very plain manner, and may be of uſe to thoſe navigators that have not acceſs to more complete and more coſtly publications. M.

Belles Lettres, Criticiſm, &c.

The French tutor; or, The theory and practice of the French language. Enriched with a variety of tables: 1. ſhewing the French pronunciation, by an aſſemblage of letters denoting ſimilar ſounds in Engliſh; 2. the different articles, and their uſe; 3. the genders of ſubſtantives and adjectives; 4. the formation of their plurals; 5. for finding the moods, tenſes, perſons, participles, and gerunds, of all regular verbs; 6. to know all the irregular verbs. By V. J. Peyton. 4 s. *Johnſon.* —— Mr Peyton's method of teaching the French pronunciation by the combination of letters expreſſing ſimilar ſounds in Engliſh, may be of conſiderable uſe to the ear of the learner, but it makes the language appear very awkward to the eye: it looks like Cherokee, or Kamtchatkan. M.

The improved French grammar. In which, 1. the pronunciation is treated in a clear and conciſe manner, the difficulties which uſually ſtrike terror into the French ſcholar, from the prolixity and ambiguity of former methods, are removed, and the eaſy and expeditious attainment of this eſſential article is inſured. 2. The principles are laid down in a plain and intelligible method, free from that infinite number of uſeleſs obſervations, and exceptions, with which other French grammars abound, and by which the learner's progreſs is impeded. To the whole are added familiar phraſes, ſtories, dialogues, and letters; with exerciſes for the pronunciation, and on the parts of ſpeech. On a new plan. By John Caſſelle, teacher of the French in London. 1 s. *Harris.* —— For a ſhort book this title-page is very long, and, what is more extraordinary, it is very true. M.

Quintilian's inſtitutes of the orator. In twelve books. Tranſlated from the original Latin, according to the Paris edition of Profeſſor Rollin, and illuſtrated with critical and explanatory notes, by J. Patfall, A. M. 2 vols. 12 s. *Law.* —— Mr Patfall and Mr Guthrie have each given us the ſenſe of Quintilian: but admitting the verſion of Mr Patfall to be preferable upon the whole, we think there are many paſſages in which it would have been no diſadvantage to his tranſlation, not to have deviated from that of Mr Guthrie: for though the former be more correct, the latter is diſtinguiſhed by a ſuperior degree of ſpirit and energy. C.

Introduction to the School of Shakeſpeare; held on Wedneſday evenings, in the Apollo, at the Devil Tavern, Temple-bar. To which is added, a retort courteous on the critics, as delivered at the ſecond and third lectures. [By Dr Kenrick.] 1 s. Sold by all the bookſellers. —— Written in the general manner of the author; ſpirited and ingenious. The *Retort courteous on the critics* may be very properly peppered and ſalted for thoſe who feed only on news-papers; but we are very ſure it will not ſuit the taſte of thoſe to whom Dr Kenrick would wiſh principally

cipally to recommend himself, either at his lectures, or by his writings. M.

Entertainment.

The history of Lord Stanton. By a gentleman of the Middle Temple, author of the Trial. 5 vols. 15 s. *Vernor.* —— Tho' not equal to the works of our first-rate writers in this branch of literature, much superior to the common run of novels. M.

The history of Agathon. By C. M. Wieland. Translated from the German original. 4 vols. 12 s. *Cadell.* —— It seems to be the peculiar fancy of this writer, to spirit his readers back into the remote ages of ancient Greece, when Greece was in the zenith of her glory; when Plato, Socrates, Xenophon, and other venerable sages flourished; to walk with them in the academic grove, to converse with them in the scientific portico, to tread over again the steps of Time, and to join the wisdom and the manners of antiquity with the knowledge and the improvements of later ages. Nor is the assemblage at all unnatural. The art of the writer, in a great measure, prevents us from seeing where the mixture takes place; so that it is not every ordinary reader who can mark the point where Attic science unites with German wit; and where the Grecian moralist deviates into the hero of a feigned history. M.

The art of joking; or, An essay on witticism; in the manner of Mr Pope's essay on criticism: with proper examples to the risible rules. To which is added, the laws of Laughing, &c. 1 s. *Dewrwelle.* —— Subjoined to the parody on Mr Pope's excellent poem, are the *Laws of Laughing*; together with some very sober verses on joking: to all which (we include the whole performance) one of our author's own lines may be justly applied:

The jester is the greatest jest of all. M.

The way to the temple of True Honour and Fame, by the paths of heroic virtue, exemplified in the lives of the most eminent persons, of both sexes; on the plan laid down by Sir William Temple, in his essay of heroic virtue. By W. Cooke, A. B. 4 vols. 12 s. *Davis.* —— The lives of the ancient gods, heroes, and legislators, are here given, in chronological succession, from Jupiter, Hercules, Nimrod, &c. down to Marcus Antoninus, and Queen Zenobia. The real history of these illustrious personages is stripped, as much as possible, of the fabulous circumstances in which they have been enveloped and disguised by the poets and priests of antiquity, and their characters and conduct are held up, for our emulation and imitation. M.

Plays and Poetry.

Sethona; a tragedy. As it is performed at Drury-lane theatre. 1 s. 6 d. *Becket.* —— "Col. Dow, (says the editor's advertisement), when he sailed for India, left the following tragedy in the hands of Mr Garrick. The event has shewn, that the reputation of an absent author could not have been trusted in safer hands." We subscribe to this grateful declaration. —— We do not remember any play so striking and interesting in the representation, and yet so cold, so unaffecting in the perusal. M.

Plays and poems, By William Whitehead, Esq; 2 vols, 8 s. sewed. *Dodsley.* —— We may venture to affirm, from many of the pieces in this collection, that posterity will consider the author as not undeservedly advanced to the honourable distinction which he holds; and be of opinion, that he has a claim to the palm of poetical genius, independent of the rank of Laureat. C.

Faith; a poem. 1 s. 6 d. *Becket* —— The verses are, in general, spirited and good. M. —— The poem opens with an address to the Deity; the author then proceeds to treat of the divine prescience, the œconomy of the universe, natural and moral evil, the happiness of virtue, the free agency of man, the absurdities of materialism, the doctrine of the Trinity, Mahometanism, Christianity, natural religion, the insufficiency of reason without faith, &c. In the arrangement there seems to be a want of that "lucid order" which is the most essential charm in literary compositions. The verses, however, are, in general, far from being deficient either in force or harmony. C.

The gracious warning; or, A monody on the death of the late pious and learned Joseph Nicoll Scott, M. D. With his very remarkable dream concerning it. To which are added, some lines on the late Rev. Mr Edward Hitchin, B. D. By G. Wright. 6 d. *Uttridge.* —— Dr Scott was an ingenious and learned man; and would not have been vain of such encomiums as are bestowed on him in these verses. M.

Richard Plantagenet; a legendary tale. Now first published, by Mr Hull. 2 s. *Bell.* —— Written in a descriptive strain of elegiac verse, and exhibits a venerable example of passive fortitude and resignation. C.

Poems, by Dr Roberts of Eton college. 3 s. sewed. *Wilkie.* —— Consists almost entirely of poems which have already, at different times, received our approbation. C.

Julia, a poetical romance. By the editor of the essay on the character, manners, and genius of women. 4 s. sewed. *Robinson.* —— A versification of Rousseau's *Nouvelle Heloise*. M.

Fables by Mr John Gay, with an Italian translation by Grian Francesco Giorgetti. 6 s. *Davies.* —— Executed with spirit, perspicuity, and elegance. M.

Saint

Saint Thomas's Mount: A poem. Written by a gentleman in India. 2s. 6d. *India.* —— The mount here celebrated is situated nine miles to the south-west of Fort St George, on the coast of Coromandel. The production clearly evinces, that the Muses can inspire their votaries even in the sultry plains of India. C.

Otaheite: a poem. 1s. *Bathurst.* —— After expatiating on the motives and effects of voyages to distant regions, many of which the author of this poem describes in animated strains, he gives us a representation of the inhabitants of Otaheite, whose life and manners are delineated with great warmth and force of imagination. The whole discovers a considerable degree of poetical genius.. C.

EDINBURGH.

State-papers and letters, addressed to William Carstares, confidential secretary to K. William during the whole of his reign, afterwards principal of the university of Edinburgh. Relating to public affairs in G. Britain, but more particularly in Scotland, during the reigns of K. William and Q. Anne. To which is prefixed, the life of Mr Carstares. Published from the originals, by Joseph M'Cormick, D. D. minister at Prestonpans. pp. 812. 4to. 1l. 1s. in boards. *Edinburgh, printed, for Strahan and Cadell, London, and Balfour, Edinburgh.* —— Even the letters in cyphers are inserted, with a key; and short memoirs of the statesmen whose letters are inserted, are prefixed. — Among the many interesting particulars are, the correspondence between the Earl of Argyle in Holland, and Monmouth, Russel, and the Exclusionists in England; A project of K. James to set aside the succession of the Princess of Orange, with other secret transactions, which conspired to produce the revolution; The settlement of Scotland, after that event, and particularly the motives which induced K. William to settle Presbytery in that kingdom; Secret intelligence concerning the intrigues of K. James, and his partisans in Scotland, and of Braedalbane in the highlands; The assassination-plot; Proceedings of parliament and secret committee relative to the massacre of Glenco; Establishment of the African company; A full detail of the Darien expedition, and of the deplorable situation of the kingdom at that period; State-parties; Free characters of the leading men in the opposite factions, and the secret methods used to allay the ferment in the nation; Opposition in Scotland to adopt the same successor with England; Of the union of the kingdoms; Patronage, Oath of abjuration, &c. &c.

Medical and philosophical commentaries. By a society in Edinburgh. No 5. & 6. [xxxv. 654] 1s. 6d. each. *Murray, London; Creech, and Drummond, Edinburgh; and Ewing, Dublin.*

An inquiry into the moving powers employed in the circulation of the blood. In a lecture delivered at Newcastle, Dec. 28. 1773. By Andrew Wilson, M. D. Fellow of the Royal College of Physicians at Edinburgh. 1s. 6d. *Elliot.*

Six sermons on the general judgement. By James Oswald, D. D. 1s. *Gray.*

The Gentleman and Lady's Weekly Magazine. Begun, Friday, Jan. 28. 2d halfpenny. *Auld.*

The Edinburgh Repository; or, Fortnight's Magazine. Begun, Wednesday, March 2. 4d. *Wotherspoon.*

The SPARROW, HAWK, and BUTTERFLY.

IN Æsop's days, when birds could chat,
And judge the right of this or that,
And insects then, as well as man,
The merit of each action scan,
A Sparrow once, who sought a place
Of safety from the Hawk in chace,
Fainting, a snug retreat espies.
To which, with force reviv'd, he flies;
And while a fearful view he cast
On danger that was scarcely past,
In piteous, sad, lamenting strains,
Of his hard lot he thus complains:
"Unhappy me! how sad the state,
In which I here am plac'd by fate:
Sure scenes of danger still attend,
Which way soe'er my flight I bend;
But, worst of all, this monster here,
This cannibal, the most I fear. [birds
'Tis strange that there should live 'mong
(But vain, alas! my plaintive words),
A wretch, whose sole delight's to kill,
And blood of innocents to spill:
For me, for ever I renounce
The cruelties that pleas'd me once;
For this retreat a vow I make
(Which may I die whene'er I break),
No more to taste of insect's blood,
But grain shall be my only food.
Let savage hawks still thirst for gore;
But I'll defile my beak no more."
His protestation having done,
And thinking now the Hawk was gone,
He plum'd his wing, and peeping out,
To see no danger lurk'd about,
Prepar'd again to take his flight,
His bosom beaming with delight.
As thus he stood, a Butterfly,
In life's gay pride, came flutt'ring by;
The danger o'er, too like mankind!
His virtuous thoughts he gave the wind;
All former fears were fled away:
He issued forth, and seiz'd his prey.
The victim strait, with mournful cries,
In vain to urge his mercy tries:
"O spare! O spare my innocence,
Who ne'er to you have giv'n offence!"

The

The Sparrow cries, with cruel taunt,
" Put not on me your piteous cant;
Your being deſtin'd for my prey,
Gives me a cauſe of death each day;
Therefore prepare to die, make haſte,
For I no longer time will waſte."
The Butterfly, with tear, once more,
Did, trembling, for his life implore;
" O mercy ſhew, or you may want
That mercy now you will not grant."
" Die," cry'd the Sparrow, " ſpare your breath;"
Then with a grip he ſeal'd his death.
At th' inſtant, lo! the Hawk return'd,
Whoſe breath with inward fury burn'd;
Who not far off the ſcene had ſtay'd,
And the whole action well ſurvey'd;
Like lightning darting on his prey,
He bore him inſtantly away.
For mercy quick the Sparrow cry'd;
Which juſtly thus the Hawk deny'd:
" How can'ſt thou, villain, hope to gain
That mercy ſo'd of you in vain!
This inſtant die;" he ſaid no more,
But ſtrait the wretch in pieces tore.
Learn that great maxim to purſue,
To do as you'd be done unto. H. A.

DAVID's *Lamentation for the deaths of* SAUL *and* JONATHAN. 2 Samuel, i.

By THOMAS MYTTON, Eſq;

AH!—each the pride of Iſrael's martial train,
Now breathleſs, on their native mountains ſlain!
So late the terror of the trembling foe,
Each mighty warrior now how cold! how low!
O! ne'er to Aſkelon the tale relate,
Nor let it enter Gath's exulting gate! [names
How could you bear your heroes honour'd
The taunting ſong of proud Philiſtia's dames?
May thy ſcorch'd ſides, Gilboa, thirſt in vain
For the refreſhful dew and cooling rain!
Nor for the holy altar ever tear
The hallow'd theft, or conſecrated ſteer!
For lo! abandon'd on thy fatal ſoil, [ſpoil,
The monarch's buckler mix'd with vulgar
Nor ought avail'd, that on his awful head,
The ſacred oil its fragrant balm had ſhed.
Wing'd, Jonathan, from thy unerring bow,
The ſhaft ne'er fought in vain the diſtant foe;
Nor, Saul, thy blade its dreadful tour forbore,
Till red and ſatiate with Philiſtian gore.
In chace of flying hoſts, they left behind
The rapid eagle diſtancing on the wind,
And, in the ſhock of mingling war engag'd,
Reſiſtleſs as the furious lion rag'd.
By mutual worth endear'd, and friendſhip led,
Life's downward journey hand in hand they tread:
Nor at the bourn of life their union ends,
The grave they enter, ſtill unſever'd friends.

Come, Iſrael's lovely damſels! let your woe
For Saul, alas! your hapleſs warrior, flow.
No more ſhall he, triumphant from the plain,
Bedeck your charms with ſpoils of heroes ſlain,
Or veils before your dazzled eyes unfold
Of purple broider'd with the ſlamy gold!
So late the terror of the trembling foe,
The mighty warrior now how cold! how low!
Thou Jonathan of Iſrael's martial train
The pride, art on thy native mountains ſlain!
Fraternal boſoms friendſhip ne'er combin'd
So cloſe as our congenial ſouls it join'd;
Nor love in ſtronger union ever ty'd [bride.
Th' enamour'd bridegroom to his beauteous
Then, with what pungent grief, muſt I deplore
Thee, Jonathan!—my brother—now no more!
So late the terror of the trembling foe,
Each mighty warrior now how cold! how low!
Ah! ne'er to thunder thro' the fight again,
Their weapons idly ſtrew the fatal plain!

Shipton, Shropſhire, Feb. 6 1774.

THE DEATH OF GOLIATH. 1 Sam. xvii.

—— *Paulo majora canamus.* VIRG.

NO more ſhall pining love and dull deſpair,
Dejection pale, inſpire the tender lay:
For now a bolder, loftier theme, ſhall breathe
Heroic ardour to my vent'rous Muſe.
Deſcend, bright goddeſs, from th' ethereal ſky,
And, gently whiſpering to my raviſh'd ear
Harmonious numbers, animate my ſong.
At Shechdammim, in Judea's realm,
Th' aſſembled warriors, of Philiſtine race,
Encamp their martial bands. Oppos'd, in arms
The men of Iſrael by th' Elakian vale
Their tents had pitch'd, upon a mountain's ſide.
When, lo! before Philiſtia's camp appears
(Stalking like ſome great obeliſk along)
A man of mighty ſtature—huge Goliath,
In helm of braſs and iron coat of mail.
His legs in ſolid metal were encas'd,
And o'er his ſhoulders hung a brazen targe.
O'er head a ponderous and maſſy ſpear,
Whoſe ſtaff was like a weaver's beam, whoſe head
Beyond the pow'r of mortal arm to move,
(Of mortal arm of this degen'rate age)
With fate he brandiſhes about in air;
And lowring ſtrides defiance o'er the plain;
And thus to Iſrael his voice he rais'd:
" Wherefore, O Iſrael, are ye thus array'd?
Why come ye forth in numbers to the field?
Send me an Iſraelite who dare decide
The war in ſingle combat with Goliath.
His or Goliath's death ſhall ſoon decide,
Which vanquiſh'd hoſt ſhall drag the ſervile chain"
Diſmay and terror ſeize the Jewiſh hoſt
With horror chill'd. The vaunting challenge through
The marrow of each individual thrills
Momentous, like an electric ſhock.
Thy men of war, O Iſrael, ſtand appall'd:

Thou,

Thou, Saul, in vain thy marſhall'd army view'ſt:
Hero there is not who can cheer with hope.
Ev'ning and morn the Philiſtine returns,
Clad with freſh terrors, to th' affrighted hoſt,
For forty days, vaunting and unoppos'd.
Favour'd of God, at length a youth appears
In Iſrael's camp on trivial errand ſent,
Juſt as both armies for the fight prepare—
A youth not bred to arms or warlike deeds,
Whoſe life had paſs'd among the harmleſs flocks.
O thou, who heretofore this choſen youth
Inſpir'dſt! now teach me alſo to declare
What mighty ſpirit in a ſhepherd dwells.
He heard the boaſting challenge from Goliath,
Indignant heard—ſhame touch'd him to the ſoul,
Within his breaſt a kindling ardour glows.
And ſhall this infidel, he cries, defy
The armies of the living God? ſhall none
Oppoſe yon boaſting monſter, and remove
The ſtain that hangs upon this mighty hoſt?
The arduous purpoſe working in his breaſt,
Inſpir'd he moves, and ſtrikes a gen'ral awe.
Larger and taller than himſelf he ſeems,
So full dilated with the thirſt of fame.
"Tell me, (he cries), ye men of Iſrael tell,
What bright reward ſhall ſtimulate the brave
To wipe away diſgrace on Iſrael thrown
By this uncircumcis'd." The men reply,
"Our king and leader, Saul, himſelf hath ſworn,
That he, who ſhall yon Philiſtine deſtroy,
From this day forth in Iſrael ſhall be free,
Him and his father's houſe for ever more.
He alſo holds himſelf oblig'd to give
His royal daughter, and with mighty dow'r."
Mean while from band to band a rumour ſpreads,
Wider and wider till it reach'd King Saul,
Goliath's challenge is at length accepted. [calls
Saul hears well pleas'd, and to his preſence
Th' advent'rous warrior. Him, with loud applauſe,
Through gazing ranks of gallant troops they lead
Onward to where the royal banner waves.
Before the preſence of his King arriv'd,
Submiſs he fell, and homage due perform'd.
The King, in pity for the blooming youth,
Thus urg'd him to avoid the jaws of death:
"Haſt thou beheld yon giant ſon of Gath?
Thy ſtrength alone is no more like to his,
Than to the eagles is the pecking doves:
Thou art a ſtripling yet unknown in arms;
He from youth upwards bred to hoſtile deeds"
"Moſt gracious King, (the daring youth reply'd),
Erewhile thy ſervant kept his father's ſheep,
There came a lion and a furious bear,
And from the fold a tender lambkin ſeiz'd.
I caught the lion by his griſly beard,
And ſmote and ſlew him and the furious bear:
And ſo thy ſervant David will deſtroy
Yon giant warrior, who thy troops defies.
The Lord, who ſav'd me from the lion's paw,
Will alſo ſhield me from Goliath's arm."
Saul anſw'ring ſaid, "The Lord be with thee—go—
But firſt my brazen helm, my coat of mail,
My ſword, and all my armour, with thee take."
He took them not, but in his hand a ſling,
A ſhepherd's wallet and a ſtaff he held,
With five ſmooth pebbles from the murmuring brook.
But when Goliath ſaw the blooming youth,
With loud contempt he bellow'd o'er the plain:
"Com'ſt thou with ſtaves to beat me as a dog!
By all my country's gods, this day I ſwear,
That wolves and vultures ſhall thy fleſh devour!"
"Then, when my conquer'd body ſhall be thine,
(With dauntleſs brow the Iſraelite return'd)
Then talk of wolves and vultures; but ere then
Learn thine own fate from this contending arm.
I come not to the field with ſword or ſpear,
But in the name of Iſrael's God I come.
Th' omnipotent eternal King will ſhew,
That not to numbers or to ſtrength of man,
To ſword or ſpear, or implement of war,
The battle yields. He, whom thou doſt defy,
Thine and the carcaſes of yon great hoſt,
To hungry dogs will yield a deſtin'd prey."
Now verbal ſtrife and tongue-contention end,
And either hero for the fight prepares.
In his own ſtrength ſecure, Goliath ſtrode,
Sternly regardleſs, and his foe deſpis'd.
Not ſo the nimbler Iſraelite; for he,
Swift as an arrow whizzing from the bow,
Or runs or flies, and with *collected* arm,
Deep in the forehead of Goliath, drove
With his unerring ſling the pointed ſtone.
Through either table of the ſkull it drove
Reſiſtleſs, plunging in the pulpy brain.
Down drops the monſter to his mother earth,
As when a tow'r, by heav'n's artillery ſtruck,
Or branch of blaſted oak, or mountain pine,
Or that reſembling ſtatue, which at Rhodes,
From mole to mole, with brazen limbs outſtretch'd,
A huge coloſſus o'er the ſhipping ſtrode:
So drops the monſter to his mother earth,
Reſounding earth the clanging bulk reſiſts.
Then like an eagle pouncing on his prey,
With rapid motion darts the conqu'ring youth,
And treads triumphant on his lifeleſs foe.
And from his ſcabbard, looſ'ning by degrees,
He draws the ponderous and maſſy ſword,
And with uplifted arms diſcharg'd a blow,
Which from the ſhoulders parts the monſter's head,
Whoſe frightful viſage on the point he rears.
Forth ruſh the Iſraelites, and, with a ſhout
That rends the welkin, to the battle pour.
Diſmay and terror ſeize the adverſe hoſt.

J. S.

HISTORICAL AFFAIRS.

TURKY.

Nothing remarkable has been received from the Turkiſh and Ruſſian armies ſince our laſt. – To the accounts already inſerted [97.] of the death of the late and acceſſion of the preſent Grand Signior we have to add the following.

"*Conſtantinople, Feb.* 3. Immediately on the death of the late Grand Signior on the 21ſt paſt, the great officers were called into the ſeraglio; upon their arrival the preſent Grand Signior was conducted out of his apartments, in which he has been confined forty-four years, into the apartments of his deceaſed brother; and after viewing the corpſe, he retired to a throne erected for him, where the great officers were permitted to kiſs his garment. The late Grand Signior was interred in the moſque of Laleli Jameſi, four hours after his death. On Thurſday the 27th, the day appointed for what is called here the coronation, the proceſſion by land was numerous and magnificent to the moſque of Ejup, where the ſword was girt on the Grand Signior, by the Nahib Effendi, or Head of the Emir, Vicar to the Sheich of Conia; from thence he returned by water to the ſeraglio. One hundred and twenty Frank veſſels contributed greatly to the ſhew, by ſaluting the Sultan as he paſſed." *Lond. gaz.*

The new Sultan, Achmet IV. according to advices from Conſtantinople, is a prince endued with more activity and genius than his predeceſſor. Since his acceſſion the face of affairs have aſſumed another appearance. The preparations for maintaining the war, which in the Sultan Muſtapha's time were rather in a languiſhing condition, are now proſecuted with the utmoſt vigour; recruits are raiſing in many parts of the empire, ſeveral diſgraced generals are reſtored to the army, and his Sublime Highneſs has publicly declared, that he will take the command of it himſelf. His Sublime Highneſs hath likewiſe given proofs of his humanity and juſtice. Inſtead of following the barbarous examples of ſome of his predeceſſors, in mutilating and even ſtrangling his neareſt relations, he hath heaped favours on the ſon of the deceaſed Emperor, the young Sultan Selim. He kept this young prince with him for ſeveral days, promiſed to be a father to him, ordered his apartments to be made more ſpacious and agreeable, and directed an apartment for the prince's mother to be contiguous to her ſon's.

POLAND.

Amidſt the complicated troubles in which this country hath been involved, by its own inteſtine commotions, and the ungenerous treatment of the three partitioning powers, it is not ſurpriſing that the King's finances ſhould be in a bad ſtate. The delegation have now entered upon the conſideration of that ſubject.

"*Warſaw, Feb.* 17. This day the delegates ſent deputies to the King, with an humble addreſs of thanks for the great and fatherly cares he has ſhewn for his ſubjects and country during the time of trouble, and that he may be pleaſed to grant them his affection in future. The addreſs ſets forth, 1. That his Majeſty may be pleaſed to lay before the delegates an exact liſt of his debts; 2. Whether his Majeſty is ſatisfied with his preſent reſidence; and, 3. How much will be wanted as an augmentation of the ſubſidy for his houſehold. Upon which his Majeſty made a ſpeech from the throne, aſſuring them that the object of all his cares and wiſhes is to ſee his ſubjects happy, and his country flouriſhing; that with regard to the firſt article, he was determined to give them an exact account of his debts; with regard to the ſecond, he is very well ſatisfied with his palace, a few alterations only are wanted; and that he recommends to them to repair the palace of Ujaſdow; and with regard to the third article, he had calculated that ſeventeen millions of Poliſh florins (about ſix pence each) will be highly neceſſary."

"*Warſaw, March* 3. The deputies who were ſent to the King to make inquiry of his Majeſty's debts; received for anſwer, that they amounted to 20,000,000 Poliſh florins, which he earneſtly deſired might be paid; and he will be content with every thing they ſhall allow him, provided theſe debts are paid; for which purpoſe a taxation of four Poliſh florins will be put upon each acre of land, as they ſtill poſſeſs five millions of acres."

"*Warſaw, March* 2. The taxes for defraying the expences of the republic meet with many difficulties. The Vice-Chancellor hath given an anſwer, in the name of the King, to the deputation of the delegates, That his Majeſty loſt, 1.

4,035,000

4,035,000 florins per ann. by the diſmemberment of Poland; 2. 5,999,825 florins by the loſs of the ſaltpits, and the ſtewardſhips of Sambor, Cracow, and Sendomir; 3. 8,284,004 florins by damages occaſioned by the troubles in 1768; 4. 3,000,000 of florins in ſalt and ready money: That theſe ſums greatly ſurmount the debts which the King hath contracted, and which he is ardently ſolicitous to pay; but as neither his poſſeſſions, or thoſe of his family, are ſufficient, his Majeſty requeſts the attention of the republic to this ſubject; and concludes in the following terms. "Make, in the firſt place, a calculation of what you *can* do, and afterwards of what you *will* do. I demand nothing but the payment of my debts, and will content myſelf with whatever you ſhall grant for my revenues."—A liſt is made out of the neceſſary expences of the republic, which amount, for the different eſtabliſhments, in the whole to twenty millions."

The King of Pruſſia, by muſtering up claim after claim upon the city of Dantzick, ſeems to be determined to weary it out into a ſubmiſſion to his authority.

"*Dantzick, Feb.* 25. The hopes which we have hitherto cheriſhed, of ſeeing the diſpute about the ſovereignty of our port terminated to our advantage, are at once vaniſhed. Count Golowkin received a courier from Peterſburg the 11th of this month, and on the following day he ſummoned the deputies of the magiſtracy before him, to whom he read a letter which he had received from his ſovereign, of which the following is the contents. "The Empreſs, together with the courts of Vienna and Warſaw, having publicly acknowledged in writing the territorial right his Pruſſian Majeſty has to the port of Dantzick, all negotiations are of no further uſe, and the town has nothing further to do but to ſubmit; upon doing which, her Majeſty would take care to have the trade put upon the ſame footing it was before; but if the Dantzickers will not acknowledge the right of the King of Pruſſia, though guaranteed by the Ruſſian court, her Imperial Majeſty will trouble herſelf no further with Dantzick, but leave it to the misfortunes which it brings upon itſelf."

This letter, ſevere as it was, proved inſufficient to make this city acknowledge any other ſovereign than the King and republic of Poland. The magiſtrates returned for anſwer, That no definitive reſolution could be agreed to in this affair without conſulting the King of Poland, who was as much intereſted as themſelves in the defence of the port, being the ſovereign protector of the town. The Ruſſian miniſter ſeemed to approve of this propoſal, and granted them time to receive orders from the King of Poland, whoſe anſwer will finally determine the fate of this place.

It is well known that the King of Pruſſia has claimed all the natives of Weſt Pruſſia who inhabit this town, or the diſtricts thereof. Our magiſtrates had put off the determination of that till the finiſhing of the principal concern: but the Pruſſian commiſſary, Reichart, has renewed his demand, that the town of Dantzick ſhall, without delay, deliver up all thoſe perſons, of what rank or quality ſoever, that were born in Weſt (formerly Poliſh) Pruſſia; in caſe of refuſal he will make good his demand by force of arms. Several repreſentations have been made to him on this ſubject by our magiſtrates to no purpoſe; and we are in daily fear that this reſolution will be put into execution."

"*Dantzick, March* 4. Ever ſince yeſterday, this unfortunate city has been quite blocked up, for all the country-people in the diſtricts of this place have flocked hither, being drove by a ſtrong Pruſſian detachment, which goes from one village to another within the diſtricts of Dantzick, and takes all the young able men away with them. On the roads we ſee loaded waggons, whoſe drivers have ran away. In ſhort, all the houſes, both of the great and opulent, and the huts of the poor, are deſerted by the male part of the family. This ſtorm came on very ſuddenly; and was occaſioned, as is imagined, by our magiſtrates refuſing to deliver up the natives of Weſt Pruſſia."

RUSSIA.

The following are the principal accounts received of the inſurrection of the Coſſacks [98.].

"*Cologn, Feb.* 22. By letters received here from Kiow, in Ruſſia Minor, the rebel Pugatcheff continues his exactions in the neighbourhood of Orenburg. He maſſacres all the Ruſſian ſubjects, but ſpares the foreigners and peaſants, in hopes of gaining them over to his party. He has already ravaged the lines of Sakarah,

karah, and depopulated the fortreſſes which ſerved as barriers to that country; he has plundered the town of Oſſa, and made incurſions towards Moſcow, and the oppoſite ſide toward Aſtracan: all the officers who fall into his hands muſt enter into his ſervice, or loſe their lives, moſt of whom prefer their honour to their life. He intends to enter into Siberia; and it is eaſy to ſee what he aims at, though we cannot get a ſight of his manifeſtoes, becauſe the government take all the pains imaginable to ſuppreſs them; and they are beſides written in the language of the Nomades, a people whom he endeavours to gain over to his intereſt by flattering promiſes."

"*Peterſburg*, *Feb.* 4. The beginning of laſt month Gen. Bibikow ſet out at the head of 15,000 men againſt the rebels in the Orenburg government; and in order to haſten his march he put his whole army into ſledges, officers, ſoldiers, artillery, baggage, and proviſions; they filled 20,000 ſledges, and ſet out with the uſual velocity of thoſe conveyances to the muſic of the whole army. They had 500 miles to go before they arrived at their journey's end."

"*Peterſburg*, *Feb.* 8. Since the return of Gen. de Car to Moſcow, Gen. de Bibikow was ſent to Orenburg. He informs us by his laſt diſpatches, that ſome detachments of troops under his command had diſperſed and defeated ſeveral bodies of thoſe robbers, and that he had ſent the Prince de Gallitzin with a ſufficient body of troops towards the retreat of their Chief, which is upon the Yaik. It is principally the Coſſacks of that name that have been the occaſion of theſe diſturbances."

"*Peterſburg*, *Feb.* 11. In the few ſkirmiſhes which the advanced parties of Gen. Bibikow's army have had with the rebels, the latter have hitherto been always defeated. The troops appear ſo animated againſt them, that notwithſtanding the ſtricteſt orders to give quarter to thoſe who are willing to ſurrender, it has hitherto been impoſſible to oblige them to do ſo.

An edict is juſt publiſhed here, by which all the quarantines and reſtrictions on goods and paſſengers between this city and thoſe of Archangel and Moſcow are entirely taken off, no traces of the plague having appeared in any part of the empire ſince the year 1772. But it is ordered, that the quarantine-ſtations upon the borders of the empire ſhould remain upon the former footing." *Lond. gaz.*

"*Peterſburg*, *Feb.* 15. We have received ſome favourable advices from the army of Gen. Bibikow; one of which is, that a detachment of 6000 of our troops had beat a body of the rebels near Caſan, had killed ſome hundreds, and had taken a great number of priſoners; and that another detachment had retaken Samara, garriſoned by 1000 of the rebels: ſince which ſeveral have ſurrendered themſelves to Gen. Bibikow, to implore the Empreſs's forgiveneſs. Nevertheleſs our advices do not ſeem to ſpeak of the rebellion as cruſhed; on the contrary, the Empreſs has promiſed 100,000 roubles to whoever ſhall deliver up Pugatſcheff, dead or alive, together with the promiſe of being decorated with all the Ruſſian orders."

"*Hamburg*, *Feb.* 14. All our letters from Ruſſia contain relations of the revolt of Pugatſcheff. Every particular of the life of this extraordinary man is inquired into, his criminal attempt having rendered him ſo famous. The following are ſome freſh accounts of him tranſmitted from Moſcow. This Coſſack is of a diſtinguiſhed family in his own country. The Sieur Raſoumowſki, whom the Empreſs Eliſabeth made Hetman (General) of the Coſſacks, diſtinguiſhed him, and brought him to Peterſburg, where he was made a page to that Empreſs. He was thence ſent to Berlin, to perfect him in ſome ſtudies, and ſerved among the Pruſſians during the laſt war. He was afterwards appointed a gentleman to the Grand Duke, in which ſtation he ſhowed ſuch a ſpirit of turbulence and independence, that he was driven from court. After this he travelled in foreign countries, his natural reſtleſſneſs not ſuffering him to ſettle any where. He afterwards returned again to Ruſſia, then made ſome campaigns againſt the Turks and Poles; from whence returning to his own country, he ſecretly fomented the rebellion which is now on foot. In order to impoſe on his accomplices, he diſtributes among them the titles, offices, and military orders of the empire, and decorates the chiefs of his army with the ribands of the different orders of Ruſſia, in the deſerts where he commands. And to the loweſt ſort he has greatly endeared himſelf, by allowing them to wear their beards, and to make the ſign of the croſs with two fingers,

gers, both which cuſtoms Peter the Great took much pains to aboliſh. By ſuch methods, and by other ſingularities, he has had the addreſs to attach to him vaſt numbers, who have ſuffered themſelves to be impoſed upon by his devices."

SWEDEN.

"*Stockholm, Feb.* 23. The King hath nominated a commiſſion, compoſed of Count Hœpken, four other ſenators, and the magiſtrate of this city, charged with the inſtituting a plan for putting the police, œconomy, and interior adminiſtration of the city, on the beſt footing poſſible. It is certain that ſince the Revolution we perceive a great change in the police and public ſecurity, of which every perſon reaps the fruits. By the exactneſs with which crimes are repreſſed, malefactors are terrified, being deprived of all hope of eſcaping, by protection, the rigor of the laws whenever they tranſgreſs them."

GERMANY.

"*Oſtend, Feb.* 23. The diſtemper among the horned cattle has broken out afreſh in the diſtrict of Furnes; but in the diſtrict of Bruges, which extends above three leagues round this town, the ſickneſs has totally ceaſed." *Lond. gaz.*

"*Leipſic, March* 5. The ancient little town of Zoblitz, in the circle of the Mines, has been nearly reduced to aſhes by a fire, which broke out the 24th of February, at ten in the evening. Among the reſt thirteen granaries, filled with corn, were burnt, and only forty-three houſes are left ſtanding."

ITALY.

"*Rome, Jan.* 31. The Pope has lately enriched the Clementine Muſeum with two very curious monuments of antiquity; the firſt is a very curious buſt of Claudia Octavia, the other is that of a Gentile prieſt, with the tiara on his head."

"*Rome, Feb.* 5. The value of the ſeizures made on the Ex-Jeſuits amounted to between five and ſix thouſand livres in gold, of which the Congregation took poſſeſſion."

BRITISH NORTH AMERICA.

"*Philadelphia, Jan.* 26. On Saturday laſt the general aſſembly of this province adjourned to the 12th of September next. During their ſitting the following among other laws were paſſed, viz. An act to amend the act, intituled, "An act for granting to his Majeſty the ſum of 55,000 l. and for ſtriking the ſame in bills of credit, in the manner therein directed, and for providing a fund for ſinking the ſaid bills of credit, by a tax on all eſtates real and perſonal, and taxables within this province." An act to prevent infectious deſeaſes being brought into this province. An act to prevent tumults and riotous aſſemblies, and for the more ſpeedy and effectual puniſhing the rioters. An act to increaſe the allowance to members of aſſembly for their attendance on the public ſervice."

We continue our account of the ill humour of the Americans. [100.]

"*Boſton, Jan.* 17. On Saturday morning the following was poſted up in the moſt public parts of this town.

"Brethren and Fellow-citizens!

You may depend that thoſe odious miſcreants and deteſtable tools to Miniſtry and Governor, the *Tea-Conſignees*, (thoſe traitors to their country, butchers, who have done, and are doing every thing to murder and deſtroy all that ſhall ſtand in the way of their private intereſt), are determined to come and reſide again in the town of Boſton.

I therefore give you this early notice, that you may hold yourſelves in readineſs, on the ſhorteſt notice, to give them ſuch a reception as ſuch vile ingrates deſerve.

JOYCE, jun. Chairman of the committee for tarring and feathering.

If any perſon ſhould be ſo hardy as to tear this down, they may expect my ſevereſt reſentment. J. jun."

Newport, Rhode Iſland, Jan. 10. Laſt Wedneſday fifty-ſeven ladies, of Bedford in Dartmouth, had a meeting, at which they entered into an agreement not to uſe any more India tea: and having heard that a gentleman there had lately bought ſome, they requeſted he would immediately return the ſame; which he complied with; upon which the ladies treated him with a glaſs of this country-wine, and diſmiſſed him highly pleaſed with their exemplary conduct, for which a number of gentlemen preſent gave him three cheers, in approbation of his noble behaviour."

Extract of a letter from a gentleman in New York, to his friend in Glaſgow, Jan. 24.

The poor highlanders from Sutherland

[xxxv. 557.], who arrived here in the brig Nancy, have been treated with unparallelled barbarity, near a hundred of them have fallen victims to the avarice and inhumanity of the captain. It is impoſſible to expreſs the cruelty they met with while on board.

Of above fifty children at the breaſt, and not more than four years of age, all died but one, and many of the mothers. Seven women, who were delivered on board, all died but one, with all the children. When ſome of them, in the captain's hearing, lamented the loſs of ſo many lives, he ſaid, with great earneſtneſs, he "wiſhed to God they were all dead, and that then he could go to Carolina, without calling at New York." Many of the people believed, that he not only wiſhed their deaths, but would contribute towards it all in his power, and even that he ſet out with ſuch a diſpoſition from the firſt; for the veſſel was entirely unprovided with many neceſſaries for the preſervation of the paſſengers, and the neceſſaries he had, he withheld from them.

Notwithſtanding the agreement of half a pound of beef per day for each paſſenger, it appeared there were but ſix barrels ſhipped in all. There was indeed on board a large hogſhead of good meal: but this, it ſeemed, he intended to convert to his own uſe, for he gave the paſſengers none of it. He had alſo for himſelf and crew, good water in plenty: but gave the paſſengers only corrupted ſtinking water, that was of itſelf ſufficient, in all human probability, to have deſtroyed their lives, with black muſty meal, hardly fit for ſwine to eat, and this to be eaten raw. In ſhort, it ſeems wonderful, that any of them eſcaped with life; it appeared contrary to his inclination that they did ſo; for he not only declared it by his actions, but, more than once, plainly by his words.

The captain, upon his arrival here, narrowly eſcaped the vengeance of the law, by leaving this port clandeſtinely, with the utmoſt precipitation, with his veſſel, in the night: it is ſuppoſed he is gone to North Carolina. If maſters of veſſels bound for this port ſhall treat paſſengers with ſuch cruelty for the future, they may lay their account with an immediate and ſevere proſecution.

BRITISH WEST INDIES.

"*Kingſton, Jamaica, Jan.* 8. On Wedneſday arrived here Sir Baſil Keith, Kt, Governor of this iſland, on board the Dawkins, Capt. Stupart. He was ſaluted by the forts; landed at Port-Royal, where his commiſſion was publiſhed; and from thence proceeded to Spaniſh-town, where he was ſworn into his office that evening."

BRITISH EAST INDIES.

"*London, March* 30. The following extract of a letter from Madraſs will properly introduce an authentic journal of the ſiege and capture of Tanjour.

"When I arrived in this place, the council were buſy in planning an expedition againſt the ill-fated Rajah of Tanjour, for having dared to aſſert the rights deſcended to him from a long line of anceſtors. In ſhort, his country was convenient for the Nabob, and for others who wanted money: his deſtruction was therefore reſolved upon *nem. con.* The feeble, if they are rich, have none here but foes. The army took the field." [xxxiv. 240 573.]

An authentic journal of the ſiege of Tanjour.

"About the middle of July, the army began to aſſemble at Trichinopoly; the 31ſt they took the field; and the 3d of Auguſt they marched from the Sugar-loaf Rock, under the command of General Smith and the Nabob's ſecond ſon, Modal ul Muleh. The 6th they came before the place; and after a ſmart ſkirmiſh between the Nabob's two regiments of regular cavalry and the Tanjour horſe, in which the latter were totally broke and diſperſed, the army incamped to the weſtward of the place, about two miles and an half diſtance, and they ſeized upon a village half-way between them and the fort, where they eſtabliſhed a poſt. As we were in doubt what part ſome of our neighbours might take in this quarrel, our engineers were immediately ſet to work to fortify the camp, which they finiſhed in a very complete and regular manner by the 20th; and as the reſt of the army had been employed in opening a communication with the country round, and in preparing materials for the future operation of the ſiege, plenty appeared in the camp, and the evening of that day all the enemy's outpoſts were attacked at once. Fletcher, at the head of a choſen body of men, marched into the very centre of their horſe-camp, while Vaughan attacked and

ſtormed

formed two pagodas in front of our incampment, and within 500 yards of the fort. The ſame night an intrenchment was thrown up between theſe two pagodas of about 300 yards in length; and thus commenced the beginning of the firſt parallel.

Next morning a heavy fire from the fort took place upon the poſt. Although the trench was incomplete, the pagodas ſerved as an excellent ſhelter to the men. All hands were employed the ſucceeding nights in compleating the trenches, extending them to the right and left, and informing redoubts for their defence; but before theſe could be accompliſhed, the morning of the 24th the whole force of the enemy made an attack upon the trenches, their horſe towards the rear, and their Seapoys and Colleries in front and flank; in the defence of which, Fletcher, who commanded, was wounded in two places with arrows; and when Col. Vaughan came down to relieve him, he was in doubt whether he ſhould be able to maintain his poſt. However, by ſending a ſmall party to attack the enemy's Seapoys and Colleries, which drove them from their ground, while the Colonel, with the reſt of the detachment, kept the horſe in awe, though he was obliged to draw his whole force out of the trenches, he kept his poſt till the Nabob's horſe and grenadiers of the army came to his aſſiſtance.

The enemy then retired, and the trenches were ſaved. About ſix in the evening the grenadiers took poſſeſſion of the five pagodas to the left of their lines, about 400 yards from the fort. Towards the evening the trenches were extended, and their flank covered with a redoubt, the whole forming the firſt parallel, and embracing a very large proportion of the weſt face of the fort.

At the right extremity of the parallel a ſix-gun battery was erected, a four-gun battery to the left; and in the centre two batteries were conſtructed, one indented for four pieces of cannon, and another for twelve pieces of ordnance, of the mortar tribe, of all ſorts and ſizes. Theſe opened on the morning of the 27th, to take off the defences of the place, and to diſmount their guns; and with good effect. The night of the 29th the ſap began a little to the right of the centre-battery, and ran 300 yards in that night. Trenches were run from the right and left of the firſt approach, and at the extremity of the left a battery for four guns was erected in the night of the 1ſt of September at about 250 or 300 yards from the walls; and in the night of the 2d, the trench to the right with another battery of four guns, at about the ſame diſtance, was conſtructed. Theſe formed the ſecond parallel, and the batteries were to ſerve for broaching the inner wall and cavaliers. All theſe, and a mortar-battery at about 150 yards from the walls, were finiſhed by the 4th, the night of which the approaches from the ſecond parallel began. By the 6th they had advanced within a few yards of the creſt of the glacis; at night they extended a communication about 150 yards along the face; and the 7th they eſtabliſhed a lodgement for their infantry. Here the ſap-battery was conſtructed, and from thence a ſhaft or gallery was ſunk for a paſſage into the ditch. Both were finiſhed by the night of the 13th; and the 14th, in the morning, the two batteries upon the flanks of the ſecond parallel were opened about noon; the ſap-battery of eight 24 pounders opened alſo to batter the fauze braye; and the gallery into the ditch was unmaſked. That night they filled up a great part of the ditch with loaded faſcines and ſand-bags. The 15th the batteries continued to play upon the place; a practicable breach was made by night, and before day-break of the 16th the paſſage over the ditch was completed: however, as they were not preſſed for time, and as they had abundance of ammunition, they continued to play upon the adjoining works ſo as to make the breach large and capacious all that day; and at eight o'clock this morning (19th September) accounts arrived at the Durbar, that the place was taken by ſtorm the morning of Friday the 17th of September.

By the laſt accounts arrived this 19th of September at five this afternoon, they did not attempt to defend the breach; our people marched through the town almoſt without oppoſition; they ſay only three grenadiers are wounded. The Rajah, Monagee, Dabier, &c. are retired to a pagoda, and at that time had refuſed quarter.

20th of September, the Rajah, Monagee, and all their families, are made priſoners."

A letter from an officer in the ſervice, to his friend in Scotland, dated, Trichinopoly, Oct. 18. gives an account of this capture,

capture, concluding thus. "On the evening of Sept. 16. a practicable breach, ſixty yards wide, was reported; the grenadiers of the army, ſupported by two battalions, were therefore ordered for the ſtorm early next morning, and in the ſame orders I had the honour of being appointed to ſupply the place of a ſick officer in the firſt grenadier-company of the 1ſt brigade. At half paſt eleven in the forenoon we were led on by Col. Vaughan; and, contrary to expectation, carried the place with little bloodſhed, the beſieged being unable to make any ſtand againſt us, though they had 30,000 fighting men. The two European companies of the 1ſt brigade, after making a ſhort halt, which brought the men cool, marched, without ſhedding a drop of blood, to the Rajah's palace; who, upon getting proper aſſurances of his life, ſurrendered with all his attendants. Old Monagee, his general, who was ſo much in the intereſt of the Nabob during his troubles, was taken with all his family. — We had, during the ſiege, 7 officers killed, and 15 wounded. Our loſs of non-commiſſioned and private was equally moderate."

Another letter mentions the great advantage the capture of Tanjour will be to the India company. The captains who were at the ſiege will receive about 800 l. Sterling each, of prize-money, and the ſubaltern officers about 400 l. The company is to have a tribute of 100 lacks of rupees from one of the princes of the Carnatic, for being put in poſſeſſion of Tanjour. This letter alſo mentions, that the India company have ſettled matters with Suja Dowla, who has agreed to pay the company 50 lacks of rupees, for being allowed to take poſſeſſion of the provinces of Korah and Alahabad, in which the company are to protect him on his paying the military expences.

England.

The royal aſſent was given to the following bills:

To theſe, by commiſſion, March 9. viz.

An act for the regulation of his Majeſty's marine forces while on ſhore.

An act to allow the exportation of corn, grain, and other articles, to his Majeſty's ſugar-colonies in America; and to extend the proviſions of an act made in the laſt ſeſſion of parliament "to regulate the importation and exportation of corn" [xxxv. 264.], *allowing the exportation of wheat, meal, flour, rye, barley, or malt, to the iſlands of Guernſey and Jerſey, to bread, biſcuit, and peaſe; and to allow the exportation of all the ſaid articles to the iſland of Alderney.* — Permits the exportation, from the port of London only, of wheat and meal, flour, bread, biſcuit, and ſtarch, made of wheat, not exceeding in the whole 2000 quarters in any one year; and from London, and every other place in G. Britain, every other ſort of corn and grain, peaſe and beans, ground or unground, malt, and oatmeal, to his Majeſty's ſugar-colonies in America, any thing in the ſaid act of laſt ſeſſion to the contrary notwithſtanding, for the ſuſtenance and uſe of the inhabitants: 4 C. wt Avoirdupois of meal, and 3 C. wt Avoirdupois of flour, bread, and biſcuit, ſhall be deemed equal to one quarter of wheat: this act to be in force during the time the ſaid act ſhall have continuance.

An act for further continuing two acts 6° & 9° Geo. III. *for puniſhing mutiny and deſertion, and for the better payment of the army and their quarters, in his Majeſty's dominions in America.*

An act to continue for a further time [till March 1. 1775] *an act* 8° Geo. III. "*to continue and amend an act* 5° Geo. III. *for importation of ſalted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of ſalted beef, pork, bacon, and butter, from the Britiſh dominions in America, for a limited time.*"

An act to allow the exportation of a limited quantity of biſcuit and peaſe, to the iſland of Newfoundland, for the benefit of the Britiſh fiſhery there. — Permits the exportation of certain quantities of biſcuit and peaſe, from certain ports, in any one year, to Newfoundland, for the benefit of the Britiſh fiſhery there, any thing in the act *to regulate the importation and exportation of corn* to the contrary notwithſtanding, viz. from Briſtol, 150 tons of biſcuit, and 300 quarters of peaſe; from Poole, 250 tons of biſcuit, and 700 quarters of peaſe; from Dartmouth, 150 tons of biſcuit, and 300 quarters of peaſe; and from Topſham and Tinmouth, within the port of Exeter, 150 tons of biſcuit, and 300 quarters of peaſe.

An act for reducing the duty payable upon the exportation of Gum Senega, granted by an act 5° Geo. III. "*for laying certain duties upon Gum Senega and Gum Arabic imported into, or exported from, Great Britain; and for confining the exportation of Gum*

Gum Senega from G. Britain only." —— Reduces the duty, from 30s. to 5s. every C. wt. Avoirdupois that ſhall be exported from G. Britain to any parts beyond the ſeas, over and above any other duty impoſed thereon.

Six bills concerning matters of police in England, two of them road-bills, and one to enable Sir John Ramſay to make a navigable canal from the river Calder, and the mouth of the Colne, to the King's-mill near Huddersfield, Yorkſhire; and to fifteen private bills.

And to theſe, by the King, March 31. viz.

An act to diſcontinue, in ſuch manner, and for ſuch time, as are therein mentioned, the landing and diſcharging, lading or ſhipping, of goods, wares, and merchandize, at the town, and within the harbour, of Boſton, in the province of Maſſachuſet's bay, in North America. [136.]

An act for making perpetual two acts 10° & 11° Geo. III. *for regulating the trials of controverted elections, or returns of members to ſerve in parliament.* [xxxii. 345. xxxiii. 320.]

An act for appointing commiſſioners to put in execution an act of this ſeſſion of parliament, intituled, "*An act for granting an aid to his Majeſty,*" *&c.*

An act for defraying the charge of the pay and cloathing of the militia, in England, for one year, beginning March 25. 1774.

An act for the relief of priſoners charged with felony, or other crimes, who ſhall be acquitted or diſcharged by proclamation, reſpecting the payment of fees to gaolers; and giving a recompence for ſuch fees out of the county-rates.

An act for more effectually carrying into execution certain propoſals, made by the Moſt Noble Henry Duke of Buccleugh, the Moſt Noble Charles Duke of Queenſberry and Dover, and others, for redeeming the annuities granted by the company of the bank of Air, in Scotland, known under the firm of Douglas, Heron, and Company.

An act to enable his Majeſty to grant unto Maj.-Gen. Simon Fraſer the lands and eſtate of the late Simon Lord Lovat, upon certain terms and conditions.

An act to repeal a clauſe in an act 13° Geo. III. "*to explain, amend, and reduce into one act of parliament, the general laws now in being, for regulating the turnpike roads in England, and for other purpoſes,*" *which regulates the width of the wheels, and the length of carriages liable to be weighed; and for indemnifying perſons who have offended againſt the ſaid clauſe.*

Six bills concerning matters of police, three of them road-bills, and twenty-five private bills, none of all which relate to Scotland.

A congratulatory addreſs of the city of London was preſented to the King, March 4. by the Lord Mayor, Aldermen, &c.; who were graciouſly received, and a gracious anſwer was returned by his Majeſty.

On Sunday, March 13. an expreſs arrived at Portſmouth, for the Royal Oak, Worceſter, and Egmont, to ſail with all expedition for Boſton; and the Preſton, Adm. Greaves to ſail with them. They immediately bent their ſails, and prepared for their departure.

"*London, March 25.* The Governors of the Preſidencies abroad in the Eaſt-India company's ſervice, having conſtantly been complimented with the military honours of lowering the union-flag, and the ſalute of twenty-one guns, the Duke of Richmond, in the laſt general court, animadverted upon this very properly, by remarking, that "as theſe were honours entirely belonging to the King, they ſhould never be paid a ſubject on any account whatſoever." The fact was diſputed for ſome time, till Sir Robert Fletcher, and ſome other gentlemen who had ſerved abroad in India, confirmed it in reſpect to the Seapoys. A clauſe was, in conſequence of this, univerſally agreed to be inſerted in the inſtructions to be ſent out to Governor Haſtings and General Clavering, excepting againſt all ſuch military honours to be paid them in future."

Mr Miller, the printer of the London Evening-Poſt, was taken in execution, March 9. at the ſuit of Lord Sandwich, for the 2000l. damages given his Lordſhip by a late verdict [xxxv. 353.], and committed to the Fleet priſon.

"*York, March 8.* Laſt Saturday ſailed from Hull, for Fort-Cumberland in Nova Scotia, the Two Friends, James Watt, with iron ware, linen and woolen drapery, houſehold furniture, &c. and 99 emigrants, chiefly from the northern part of this county."

"*Bath, Feb. 9.* Some time ago a cliff, near adjoining to a houſe at Beer in Dorſetſhire, parted. An alarm was given to the perſons in the houſe; but the ſon, a youth about ſixteen, running to call ſome neighbours to aſſiſt in ſaving ſome

boats, part of the cliff fell upon him, and cruſhed him to death."

"*Reading, March* 19. The inhabitants of Hockley, in the neighbourhood of Petersfield, Hants, have for ſome days paſt been greatly alarmed by a gradual ſinking of the earth. It was firſt perceived by a cottager, whoſe houſe is ſituated on the ſide of a hill, and is ſunk very conſiderably. It is ſaid, that ſeveral hundred acres in that neighbourhood are ſunk ſeveral feet; and that the ground continued ſinking on Sunday laſt."

The heavy rains that fell inceſſantly from the 5th to the 9th of March, raiſed the waters in many rivers, chiefly to the weſtward of London, to a greater height than has been known in the memory of man.

"*Leeds, March* 22. We hear from Bingley, that twenty miles of the grand canal between Liverpool and Leeds, was opened yeſterday for buſineſs, from Skipton to below the junction with the Bradford canal, in the preſence of ſeveral thouſand ſpectators. From Bingley, to about three miles downwards, the nobleſt works of the kind that are perhaps to be found in the ſame extent in the univerſe, are exhibited, viz. a five-fold, a three-fold, a two-fold, and a ſingle lock, making together a fall of 120 feet; a large aqueduct-bridge of ſeven arches over the river Aire; and an aqueduct and a large banking over Shipley valley. Five boats of burden paſſed the grand lock, the firſt of which deſcended through a fall of ſixty feet in leſs than twenty-nine minutes."

SCOTLAND.

The Rev. Commiſſion met at Edinburgh on the 2d of March. Dr Wiſhart having been indiſpoſed, acquainted the commiſſion, by a letter, that he had tranſmitted the orders of laſt commiſſion to the preſbytery of Stirling, but had received no anſwer. The moderator then inquired, if there was any report from the preſbytery of Stirling, in anſwer to the orders of laſt commiſſion, to any of the members of the commiſſion. Dr Daniel Macqueen, one of the miniſters of Edinburgh, then delivered to the moderator the following extract, together with the letter in which it was incloſed.

The extract is dated, Stirling, Feb. 20. 1774.—"After reciting the ſentence of the commiſſion [xxxv. 615.], it goes on thus.

"The Preſbytery, in obedience to the requiſition of the Rev. Commiſſion, herewith tranſmit an extract of their minutes on the day of Mr Thomſon's admiſſion, in the preciſe terms of the Aſſembly's appointment, which are as follows.

"At St Ninian's, the 29th June 1773. The preſbytery being met, after prayer, Sederunt Mr Finlay moderator, Meſſ. Thomſon, Taylor, Frame, Ure, Muſchet, Fergus, Buchanan. This being the day appointed for Mr Thomſon's admiſſion to St Ninian's, it was aſked, if his edict had been ſerved in due time; and it being anſwered in the affirmative, the preſbytery ordered their officer to call three ſeveral times at the moſt patent door of the church, That if any had objections againſt Mr Thomſon's life and doctrine, why he ſhould not be admitted miniſter of St Ninian's, they ſhould appear, and give in their objections immediately, otherwiſe the preſbytery would proceed to his admiſſion. After this intimation, a paper was given in, ſigned by three elders, which the preſbytery taking under conſideration, and finding that there was no objection therein againſt the life and doctrine of Mr Thomſon, do therefore repel it, and proceed to his admiſſion.

After which Mr Thomſon was admitted in the church miniſter of St Ninian's, by Mr Finlay their moderator, in name of the preſbytery.

Thereafter the Preſbytery being met, Mr Thomſon was inrolled as miniſter of St Ninian's, took his ſeat accordingly, and craved, that the preſbytery would appoint one of their number to preach at Gargunnock, and to declare that church vacant. One of their number was accordingly appointed to preach there Sabbath firſt, and to intimate the vacancy. The ſederunt cloſed with prayer."

As to the injunction concerning the preſbytery's inquiring into the great *fama clamoſa* that is ſpread through the whole church, concerning an offenſive behaviour of Mr Finlay in admitting Mr Thomſon, the preſbytery cannot help expreſſing, with great deference, their doubtfulneſs of the Rev. Commiſſion's powers in giving any further injunctions about that matter, and their difficulties from the manner in which they are given.

In the Commiſſion's information to them, there is no condeſcendence upon any particular offence committed by Mr Finlay,

Finlay, neither does there appear any particular libeller, which, in the whole ſpirit and letter of the form of proceſs, ch. 7. § 3. is, in the firſt inſtance, poſitively inſiſted upon, as, in the ſame chapter and paragraph, preſbyteries are expreſsly directed, before any progreſs upon *fama clamoſa* is begun againſt miniſters, to inquire into the riſe, occaſion, broachers, and grounds of the ſame. And though the preſbytery know of no law in our church, laying any reſtraint upon the manner, or limiting to a form of words the ſpeaker who preſides at an admiſſion or ordination, yet they are ſenſible the ſingularity of the manner in which Mr Finlay proceeded was much exaggerated into a criminality which could in no way be fairly and candidly deduced; and therefore, full of the moſt dutiful reſpect to the Rev. Commiſſion, the preſbytery are deſirous to furniſh them with the beſt information as to the *fama clamoſa* now complained of. And,

1. The Rev. Commiſſion will be pleaſed to obſerve, that the admiſſion of Mr Thomſon having taken place, as in the extract formerly given, the preſbytery had met after the admiſſion, Mr Thomſon and the agent for the patron met with them. Mr Thomſon was inrolled as miniſter of St Ninian's, and ſolicited for ſupply to his old pariſh of Gargunnock, and aſked to have one appointed to declare that kirk vacant. One of their number was accordingly appointed. No complaint was made as to the mode of admiſſion.

2. The preſbytery inform the Rev. Commiſſion, that at their ordinary meeting, the 7th of July following, Mr Moir, agent for the patron, ſent a letter directed to the moderator, to be communicated, telling them, he heard the preſbytery were to cenſure Mr Finlay for his manner of conducting the admiſſion of Mr Thomſon; and that he, the agent, judged it highly improper that this ſhould be done in the preſbytery-houſe, but in the kirk of St Ninian's, on a day to be appointed for that purpoſe, proteſting againſt every other method of procedure than the one he had preſcribed, and threatening every civil and eccleſiaſtical penalty, ſhould the preſcription be rejected. As the few brethren who were preſent that day, had never heard nor thought of any public cenſure, and were unwilling to take their direction from Mr Moir, they delayed the conſideration of his letter till another day, when they hoped to be more fully convened.

3. The preſbytery would inform the Commiſſion, that the few members who had ſeen, and the others who had heard of this extraordinary letter, were ſurpriſed to ſee a publication in the Edinburgh Courant of date the 12th of July, giving, as was pretended, a true and perfect account of the admiſſion of Mr Thomſon, ſigned, *A Friend to the Kirk of Scotland;* and ſtill more ſurpriſed to ſee the very letter then lying on the preſbytery-table for judgement, publiſhed in the Courant 17th July, by one who is called *An Heritor of the Pariſh of St Ninian's.* Theſe were followed by other publications in the news-papers and magazines, containing enlargements and additions to the foregoing, with many falſe, indecent, and illiberal reflections againſt Mr Finlay. That the preſbytery believe it was by this method, and in this channel, the *fama clamoſa* was raiſed and propagated through the whole church.

4. The preſbytery beg leave to obſerve, that this intelligence thus continued to be communicated to the public in news-papers and magazines, while it contained many things falſe and injurious to Mr Finlay, contributed greatly to ſpread and increaſe the *fama clamoſa* they themſelves had raiſed; and the taking vengeance for the offence done them, was a *vindicta privata*, which ſhould preclude them from any further complaint.

Upon the whole, the preſbytery would report to the Rev. Commiſſion, That Mr Thomſon was admitted miniſter of St Ninian's on the day appointed by the General Aſſembly; that he attended the ſubſequent meeting of preſbytery, when he was inrolled, took direction of the poor's money, aſked ſupply for Gargunnock, and in every thing acted in his new capacity, without the ſmalleſt objection from him or the patron to what had been gone about; and that they are convinced it is greatly owing to the officiouſneſs and induſtry of the agent and his friends, that the church has been troubled with the great *fama clamoſa* in the affair; that their publicly accuſing, condemning, and puniſhing Mr Finlay, repeatedly, in the periodical papers, while they were applying to the preſbytery for redreſs, and even proteſting againſt the preſbytery unleſs vengeance was executed according to their mind, were methods taken for hanging up the affair to the world, and

ſo occaſioning the *fama clamoſa* they now complain of, which otherwiſe would have died away, as it has long ſince done in this corner."

The Commiſſion having heard this extract all read over, and reaſoned upon it, unanimouſly reſolved, "to tranſmit this extract or report, together with the former report relative to this affair [xxxv. 614.], to the next General Aſſembly, with this opinion, That there are ſundry things in theſe reports which merit the particular attention of the Aſſembly."

On the 11th of March came on before the high court of juſticiary at Edinburgh, the trial of John Andrews, William Wilſon, and William Love, indicted for the alledged crimes of breaking into the warehouſe of Meſſ. Loundes in Paiſley, and afterwards attempting to ſet it on fire. To the indictment they ſeverally pleaded Not guilty; but their ſenior counſel having declared he had no objections to the form or wording of the libel, it was found relevant to infer the pains of law. The trial was then delayed till the 14th. Accordingly on that day the trial was proceeded in. During the courſe of it, ſeveral important debates occurred concerning the competency of ſome of the witneſſes; but the objections were all over-ruled by the court. The jury incloſed next morning about five o'clock, and ſame day returned a verdict, all in one voice finding the facts libelled not proved; whereupon the court abſolvied the pannels, and diſmiſſed them from the bar.

On the 11th of March likewiſe came on before the ſame court the trial of William Byres and Thomas Baird, indicted for ſundry acts of theft. Petitions were preſented for each of them, craving baniſhment; to which the Solicitor-General having conſented, they were baniſhed to the plantations for life, the firſt ſeven years of their ſervices being adjudged to the tranſporter.

The ſame court, March 14. proceeded to the trial of Thomas Muir and James Cant, indicted for wilful fire-raiſing [xxxv. 668]. They petitioned for baniſhment; which being conſented to by the Solicitor-General, they were baniſhed to the plantations for life, the firſt four years of their ſervices being adjudged to the tranſporter.

A cauſe was determined by the court of ſeſſion, Feb. 17. between Mr Warrand, poſtmaſter at Inverneſs, purſuer, and Mr Falconer, of the ſame place, defender. Mr Falconer had written a letter to Mr Oliphant, poſtmaſter-general of Scotland, accuſing Mr Warrand of bad conduct in the diſcharge of his office. Mr Oliphant, conſidering the charges made againſt his deputy to be of ſo deep a nature, as to merit the cogniſance of a court of law, tranſmitted the letter to Mr Warrand: the conſequence was, that Mr Warrand brought an action againſt Mr Falconer, concluding, That the accuſation laid in Mr Falconer's letter ſhould be found falſe and injurious, and that he ſhould be found liable to Mr Warrand in damages and expences. Mr Falconer defended himſelf, by alledging, That it was the privilege of every ſubject in this country, to give information againſt public officers: That he, as a merchant, intereſted in the good order of the poſt-office, had written the letter to Mr Warrand's ſuperior, that an inquiry might be made into his conduct: if the accuſation *was not* well founded, he would be continued in his office; if it *was* well founded, it would be proper that he ſhould be removed: That he did not mean his letter as a defamatory libel, but merely as a piece of information, to be inveſtigated by the general poſtmaſter: That letters of this kind were written every day to the boards of cuſtoms and exciſe; and that the court of ſeſſion had formerly decided, that a letter ſo written to the commiſſioners of the cuſtoms, could not be made the foundation of an action: That it would be very hard, if a complaint could not be made againſt any of the poſtmaſters in the country-towns, without running the riſk of being compelled to bring a proof of it in a formal action at law. Mr Warrand anſwered, That the privilege of a ſubject to complain of public officers was to be underſtood in conſiſtency with truth; but that if heavy charges were made againſt a perſon in truſt, tending to ruin his character, both as an officer and as a man, and it ſhould appear, that the perſon who made them, could not bring evidence to ſupport them, the ſame great principles of law and equity on which the right of *remonſtrance* is founded, would afford him redreſs: and that in this caſe it appeared, that at the time of writing the letter to Mr Oliphant, Mr Falconer was in bad terms with Mr Warrand. A proof

of

of an enormous ſize (about 500 pages) was taken, memorials were given in, and counſel were heard for ſeveral days. The court found the accuſation againſt Mr Warrand to be groundleſs, and found him intitled to damages and expences.

Judgement was given in the ſame court, March 2. in a competition for the eſtate of Rothes, between Lady Jane-Eliſabeth Leſlie, Counteſs of Rothes, ſiſter of the Earl laſt deceaſed [xxxv. 391.], and the Hon. Andrew Leſlie, brother of the laſt Earl's father. The queſtion turned upon the import of an entail in 1684, by which the eſtate is ſettled upon John Lord Leſlie, *and his heirs-male, or eldeſt heir female*. Mr Leſlie contended, That theſe words imported, that until the whole heirs-male of Lord Leſlie were exhauſted, no heir-female could ſucceed; and that the word *or*, here, had the ſame meaning as the uſual words *whom failing*. The Counteſs maintained, That the clauſe was only an uncommon method of expreſſing *heirs whatſoever*, the explanation of which is plainly *heirs male or female*; and that the intention of the deed certainly was, that the neareſt heir of whatever ſex ſhould be preferred; adding, that if there was any dubiety in the words of the ſettlement, the preſumption was in favour of the heir at law, this not being a *male fief*, having deſcended from Counteſs Margaret, daughter of the Duke of Rothes. The court determined in favour of the Counteſs.

On the 12th of March judgement was given by the court of ſeſſion, in a cauſe, Meſſ. Roebuck and Garbet, of Carron, purſuers, and Meſſ. Stirling and Co. of Glaſgow, defenders. The purſuers had obtained a patent for an excluſive privilege of making oil of vitriol, in Scotland, prepared in leaden veſſels, in place of glaſs ones uſed formerly, as by this method the price of that commodity had been reduced about three fourths. The defenders ſet up a manufactory of the ſame kind, which the purſuers deemed an incroachment on their patent, and brought an action to hinder the defenders from making oil of vitriol prepared in leaden veſſels. The defenders maintained, That no patent could be of force in this caſe, as this was no invention, but only a new method of preparing the materials; and that this method was known and practiſed both in England and Scotland before the purſuers obtained their patent. The court were of opinion, that the great advantage ariſing from this improvement, was a ſufficient ground for giving the patent, but that it was proved that this new method was uſed in England before the patent was obtained; that if this art had been uſed in a foreign country only, the patent would have taken place; but as the laws relative to commerce were on the ſame footing in England and Scotland, and, by the articles of the Union, whatever is a free trade in the one kingdom is ſo likewiſe in the other, and as the laws relative to monopolies extend to Scotland, the court gave judgement for the defenders.

On the 10th of January the ſociety of writers to the ſignet ordered their treaſurer to pay 200 guineas towards finiſhing the chapel lately built in Edinburgh for divine worſhip according to the forms of the church of England [xxxiii. 326.]. The incorporation of ſurgeons in Edinburgh have given 40 guineas for the ſame purpoſe.

By a letter from Tiviotdale, dated March 12. we are informed, that ſome time during laſt ſtorm, a very ſtrong buck was diſcovered in a large planting at Boehill near Selkirk, where, after receiving ſome ſlight ſhots, he always made his eſcape. By the ſeverity of the ſtorm, he was forced to come and feed amongſt a flock of ſheep at Middleſtead. He was at laſt got hold of amongſt the ſheep, brought into a barn, and kept for ſome weeks. Saturday the 5th of March, George Fletcher, a farmer in that place, who had a great curioſity to ſee the buck, came for that purpoſe, and got into the barn, where there was a rope fixed acroſs, for his jumping over for exerciſe. The farmer puſhing him oftener than he inclined, he turned upon him, and ſtruck the farmer upon the face, and fractured his ſkull, of which he died two days after. The farmer was unmarried, and had no family. The ſame buck was hunted laſt Thurſday, by the Duke of Roxburgh, and a great deal of gentlemen, who were then at Selkirk hunting foxes in that neighbourhood. The buck made a run of fifteen computed miles, without the ſmalleſt ſtop. It was computed, that, of men, women, and children, there were upwards of 2000 at the ſtarting; and about twenty horſes were in at the death.

MARRIAGES.

Petersburg, March 8. On Sunday laſt, in the evening, the nuptials of the Duke of Courland with the Princeſs Youſſoupow were performed in the Imperial chapel. [111.] *Lond. gaz.*

14. At Air, Mr John Bell, Writer to his Majeſty's Signet, to Miſs Clementina Blair, youngeſt daughter of the deceaſed John Blair of Dunſkey, Eſq;

16. At Edinburgh, Mr John Barclay, miniſter of the Berean aſſembly, to Mrs Caddel, relict of Mr James Caddel, late upholſterer in Edinburgh.

16. At Briſtol, the Rev. Mr Gerrard, aged 75, to Mrs Turner, a widow lady of that city, aged 73.

25. At Edinburgh, John Hamilton of Redhall, Eſq; to Miſs Chriſtian Græme, eldeſt daughter of Mr Robert Græme, ſon of the deceaſed Thomas Græme of Balgowan, Eſq;

30. At Kilbride, the ſeat of Sir James Campbell, Mr John Learmonth, merchant in Edinburgh, to Miſs Katy Drummond, youngeſt daughter of the late Provoſt Drummond. [xxviii. 615, 69.]

BIRTHS.

Feb. 16. At Wardhouſe, Mrs Gordon of Wardhouſe, of a ſon and heir. [xxxv. 222.]

March 1. At Caſtle-Grant, the Lady of Sir James Grant, Bt, of a daughter.

23. At Hatton, the ſeat of the Earl of Lauderdale, Lady Betty Gavin, of a daughter. [xxxv. 447.]

25. At London, the Lady of Lord Viſcount Milſington, of a ſon and a daughter.

"*Hague, March* 4. The young prince [111.] was chriſtened yeſterday with great ſolemnity, in the principal church of this town. He was named WILLIAM GEORGE FREDERICK. Among his ſponſors were their Britannic Majeſties and the Princeſs Amelia." *Lond. gaz.*

Hague, March 8. The new-born ſon of the Prince of Orange, beſides the States of Guelderland, who ſtood godfather to him, had likewiſe for ſponſors the King and Queen of G. Britain, Princeſs Amelia of England, the King and Queen of Pruſſia, the Princeſs dowager, and the Prince Royal, the Queen-dowagers of Denmark and Sweden, the Hereditary Prince and Princeſs of Brunſwick, the Princeſs Thereſa of Brunſwick, the Princeſs Abbeſs of Canderſheim, and the Ducheſs of Saxe-Coburg."

"*St James's, March* 26. On Thurſday evening the ceremony of the chriſtening of the young prince [111.] was performed in the great council chamber, by the Archbiſhop of Canterbury. His R. H. was named ADOLPHUS FREDERICK. The ſponſors were, Prince John Adolphus of Saxe-Gotha, repreſented by the Earl of Hertford; Prince Charles of Heſſe-Caſſel, repreſented by the Earl of Jerſey; and the Princeſs of Orange, repreſented by the Counteſs of Effingham." *Lond. gaz.*

DEATHS.

Aug. 1773. At the ſiege of Tanjour, in the Eaſt Indies, William Campbell, Eſq; ſon of Archibald Campbell of Sockach, Eſq; one of the principal clerks of ſeſſion.

Feb. In Jamaica, Alexander Fraſer, Eſq; a conſiderable merchant in that iſland.

25. At Brechin, aged 77, Mr John Coupar, firſt miniſter of Montroſe.

March 2. At Gaſk, Perthſhire, the Hon. Miſs Mary Nairne, daughter of the deceaſed William Lord Nairne.

2. At St Fort, Fifeſhire, Alexander Walker, Eſq; of St Fort.

3. At Leith, Mrs Mary Elphinſton, wife of General Horne.

3. At Edinburgh, Mrs Mary Milliken, wife of Dr Nathan Spens, phyſician.

3. At Salthill, on his way to Briſtol, Viſcount Galway, and Baron of Killard, in Ireland.

4. At Kirkwall in Orkney, Andrew Young of Caſtle-yards, Eſq;

4. At Glaſgow, Dugald Buchanan, Eſq; of Craigievairn.

4. At Sandwich in Kent, William Boys, Lieutenant Governor of Greenwich hoſpital.

7. At Pardo, in Spain, Charles, Infant of Spain, aged two years and ſix months.

8. At Abreſford in Hampſhire, John Whitton, a threſher, aged 107.

11. At Quanbury in the county of Galway, Ireland, Lord Viſcount Kingſland.

14. At Huntingdon, on the Northfolk circuit, Sir Richard Adams, Kt, one of the Barons of the court of Exchequer.

14. At London, Robert Harley, Eſq; uncle to the Earl of Oxford, barriſter at Law, and member for Droitwich.

15. At Birmingham, Mrs Farr, aged 109. Her brother died about two years ago, aged 114.

17. At Creich, Mr Gilbert Robertſon, miniſter of Kincardine in Roſsſhire.

18. At Gaſk, Perthſhire, the Hon. Æmilia Nairne, relict of Laurence Oliphant of Gaſk, Eſq; and daughter of the deceaſed William Lord Nairne.

19. At Ellon, Aberdeenſhire, aged 70, Mr Andrew More, miniſter of that pariſh.

20. At Leith, Mr George Home, town-clerk of Leith.

20. At Dundee, Mr Charles Kinloch, only ſon of David Kinloch of Gourdie, Eſq;

25. At Edinburgh, Miſs Colquhoun, ſiſter of Sir George Colquhoun, Bt.

26. At Barrowgill-Caſtle, Sir John Sinclair of Mey, Bt.

27.

27. At Canon-mills, near Edinburgh, Capt. John Clark. He was an officer in the East-India company's ſervice during the late war.

27. At Inverneſs, Major William Forbes, late of the 35th reg. of foot, ſon of the deceaſed John Forbes of New, Eſq;.

At St Albans, Mrs Munms, aged 107.

At Stockwell in England, raving mad, Mrs Daicy. Her death was occaſioned by the bite of a lap-dog.

30. At Edinburgh, Mrs Jean Ayton, relict of Mr James Baillie, advocate, aged 97.

PREFERMENTS.

From the London Gazette.

March 9 Sir William Meredith, Bt, comptroller of his Majeſty's houſehold, and Jeremiah Dyſon, Eſq; cofferer of his Majeſty's houſehold, were ſworn of the Privy Council this day, and took their ſeats at the board.

The King has been pleaſed,

March 4. to confer the honour of Knighthood on Walter Rawlinſon, Eſq; one of the Aldermen of London who this day preſented the congratulatory addreſs of the city on the birth of a prince. [161.]

12. to appoint Frederick, Lord North, K. G. the Rt Hon. George Onſlow, Charles Townſhend, Eſq; Francis Seymour Conway Lord Viſcount Beauchamp, and Charles Waſhan Cornwall, Eſq; to be his Majeſty's commiſſioners for executing the office of Treaſurer of his Majeſty's Exchequer. [xxxv. 55]

12. to grant unto Thomas Lord Pelham, the offices of Warden and Chief Juſtice in Eyre of all his Majeſty's foreſts, parks, chaces, and warrens, beyond Trent

15. to appoint Frederick Lord North, K. G. to be his Majeſty's Lieutenant and Cuſtos Rotulorum of the county of Somerſet.

22. to grant, direct, ordain, and appoint, That there ſhall be, within the factory of Fort-William at Calcutta in Bengall, a court of record, which ſhall be called, *The Supreme Court of Judicature at Fort-William in Bengal*; and that the ſaid ſupreme court ſhall conſiſt of one principal judge, who ſhall be called the *Chief Juſtice* of the ſupreme court of judicature at Fort-William in Bengal, and three other judges, who ſhall be called the *Puiſne Juſtices* of the ſupreme court of judicature at Fort-William in Bengal; and to appoint Elijah Impey, of Lincoln's Inn, Eſq; to be Chief Juſtice, Robert Chambers, of the Middle Temple, Stephen Cæſar Le Maiſtre, of the Inner Temple, and John Hyde, of Lincoln's Inn, Eſqs, to be the Puiſne Juſtices of the ſaid ſupreme court of judicature at Fort-William in Bengal, with power to exerciſe and perform all civil, criminal, admiralty, and eccleſiaſtical juriſdiction.

30. to confer the honour of Knighthood upon Elijah Impey, of Lincoln's Inn, Eſq; Chief Juſtice of his Majeſty's Supreme Court of Judicature at Fort-William in Bengal.

War-office, March 17. 1774.

Royal reg of horſe-guards: Lieut. Chriſtopher Clitherow to be Captain of a troop, vice Sir William Middleton; by purchaſe.

Ditto: Corn. Henry Fownes Luttrell to be Lieutenant, vice Chriſtoper Clitherow; by purchaſe.

Ditto: Andrew Corbett, Gent. to be Cornet, vice Henry Fownes Luttrell; by purchaſe.

3d reg. of dragoons: Corn. William Huddleſton Williamſon to be Lieutenant, vice Robert Wilmot; by purchaſe.

Ditto: Pierce Joſeph Taylor, Gent. to be Cornet, vice William Huddleſton Williamſon; by purchaſe.

16th reg. of light dragoons: Corn. William Henry Talbot to be Lieutenant, vice George Jennings; by purchaſe.

Ditto: David Howell, Gent. to be Cornet, vice William Henry Talbot; by purchaſe.

Coldſtream reg. of foot-guards: Enſ. Thomas Willett Saltren to be Adjutant, vice George Morgan.

6th reg. of foot: Lieut. Thomas Edwardes to be Captain-Lieutenant, vice John Dale, deceaſed.

Ditto: Enſ. James Blathwayt to be Lieutenant, vice Thomas Edwardes.

Ditto: ——— Leigh, Gent. to be Enſign, vice James Blathwayt.

11th reg. of foot: Capt. James Sturrock to be Captain, vice George Fenwick; by purchaſe.

Ditto: Lieut. Patrick Jacob to be Captain-Lieutenant, vice James Sturrock; by purchaſe

Ditto: Enſ. William Bury to be Lieutenant, vice Patrick Jacob; by purchaſe.

12th reg. of foot: Lieut. Joſeph Collings to be Captain, vice Thomas Trigge, preferred; by purchaſe.

Ditto: Enſ. John Spilſbury to be Lieutenant, vice Joſeph Collings; by purchaſe.

Ditto: James Lowe, Gent. to be Enſign, vice John Spilſbury; by purchaſe.

20th reg. of foot: John Cooke, Gent. to be Enſign, vice Henry Perryn Browne; by purchaſe.

21ſt reg. of foot: Lt-Col. James Hamilton, from halfpay, to be Lieutenant-Colonel, vice Edward Maxwell, preferred.

29th reg. of foot: Enſ. Thomas Milborne Weſt, of the 47th regiment, to be Enſign, vice Thomas Steele, preferred.

Ditto: ——— Bernard, Gent. to be Enſign, vice James Batterſby, preferred.

33d reg. of foot: Surg. Mate Weſt Hill to be Surgeon, vice Richard Edwards.

Ditto: Quartermaſt George Ward to be Adjutant, vice Robert Crane, who exchanges.

Ditto:

Ditto: Lieut. Robert Crane to be Quartermaſter, vice George Ward, who exchanges.

36th reg. of foot: Lieut. Edward Deſpard, of the 50th regiment, to be Lieutenant, vice Nathaniel Farnall, who exchanges.

37th reg. of foot: John Frith, Gent. to be Enſign, vice John Clayton; by purchaſe.

39th reg. of foot: Enſ. Robert Baird to be Lieutenant, vice Robert Cary; by purchaſe.

Ditto: Robert Craigie, Gent. to be Enſign, vice Robert Baird; by purchaſe.

43d reg. of foot: Sommervell Murray, Gent. to be Enſign, vice John James Murray, reſigned.

47th reg. of foot: John Lord Viſcount Pitt to be Enſign, vice Thomas Milborne Weſt, removed.

50th reg. of foot: Lieut. Nathaniel Farnall, of the 36th regiment, to be Lieutenant, vice Edward Deſpard, who exchanges.

58th reg. of foot: Enſ. William Cunninghame to be Lieutenant, vice Caleb Carden; by purchaſe.

Ditto: John Marſden, Gent. to be Enſign, vice William Cunninghame; by purchaſe.

67th reg. of foot: Col. Edward Maxwell, of the 21ſt regiment, to be Colonel, vice Hamilton Lambart, deceaſed.

Serj.-Maj. ——— Bunbury, of the 37th regiment, to be Fort-Adjutant of Fort St Philip in the iſland of Minorca, vice William Taylor.

Prices of grain at Haddington, April 8. 1774.

	Beſt.	*Second.*	*Third.*
Wheat,	24 s. 0 d.	23 s. 6 d.	22 s. 8 d.
Bear,	21 s. 0 d.	17 s. 9 d.	18 s. 6 d.
Oats,	15 s. 0 d.	13 s. 6 d.	12 s. 10 d.
Peaſe,	14 s. 6 d.	13 s. 8 d.	12 s. 0 d.

Edinburgh, April 20. 1774. Oat-meal, 1s. Bear-meal, 8d. 2f. Peaſe-meal, 8 d. 2f.

The Edinburgh bill of burials for March 1774.

Within the city { Males 38, Fem. 51 } 89
In the Weſt-kirk-yard { Males 15, Fem. 20 } 35
124. Decr. 6.

Age.	N°	Diseases.	N°
Under 2	46	Aged ——	19
2 & 5	10	Aſthma ——	2
5 & 10	8	Bowelhive ——	4
10 & 20	4	Childbed ——	4
20 & 30	6	Chincough ——	8
30 & 40	10	Conſumption ——	40
40 & 50	5	Fever ——	28
50 & 60	10	Meaſles ——	3
60 & 70	8	Small pox ——	10
70 & 80	6	Stillborn ——	4
80 & 90	7	Suddenly ——	1
90 & 100	4	Swelling ——	1

Buried

FIARS for crop 1773, per boll.

MID-LOTHIAN, or EDINBURGHSHIRE.

	Sterling, L. s. d.
Beſt Wheat	1 2 3
Blacked Wheat	1 0 7
Beſt Barley	0 17 4
Blanded Bear	0 15 4
Rough Bear	0 14 4
Oats	0 14 0
Muirland Oats	0 12 2
Oat-meal, 8 ſtone per boll	0 15 0
Peaſe	0 12 6

EAST-LOTHIAN, HADDINGTONSHIRE.

Sterl.	*Beſt.* L. s. d. f.	*Second.* L. s. d. f.	*Third.* L. s. d. f.
Wheat	1 3 1 0	1 2 0 0	1 0 8 0
Barley	0 18 9 1	0 17 10 1	0 16 8 0
Oats	0 14 6 1	0 13 9 1	0 12 10 1
Peaſe	0 12 8 0	0 11 10 1	0 11 1 1

GLASGOW.

	Scots, L. s. d.
Oat-meal	10 4 0
Bear	9 7 9

HAMILTON and CAMPSIE Commiſſariot.

	Scots, L. s. d. f.
Oat-meal	10 4 0 0
Bear	10 3 6 2

KINCARDINESHIRE.

	Scots, L. s. d.
Oat-meal	8 0 0
White oats with fodder	9 12 0
—— without fodder	8 0 0
Brocked oats with fodder	8 0 0
—— —— without fodder	6 6 0
Bear with fodder	9 12 0
—— without fodder	8 0 0
Peaſe with fodder	9 12 0
—— without fodder	7 4 0
Wheat	12 0 0

Mid-Lothian Fiars for fourteen years, in Scots money.

Years.	*Wheat.* L. s. d.	*Barley.* L. s. d.	*Meal.* L. s. d.
1759.	8 0 0	6 5 0	5 4 0
1760.	8 2 0	6 3 0	5 14 0
1761.	8 8 0	7 8 0	6 6 0
1762.	11 4 0	8 11 0	10 10 0
1763.	10 0 0	8 2 0	7 0 0
1764.	11 8 0	8 5 0	8 0 0
1765.	12 0 0	9 18 0	9 12 0
1766.	11 14 0	10 16 0	9 6 0
1767.	12 12 0	8 8 0	8 14 0
1768.	12 0 0	7 1 0	7 4 0
1769.	10 16 0	8 2 0	8 8 0
1770.	11 2 0	8 5 0	8 8 0
1771.	12 12 0	9 15 0	10 0 0
1772.	13 10 0	10 10 0	10 0 0